

GENERAL INDEX.

FOR CLASSIFIED ARTICLES, SEE APPOINTMENTS; CORRESPONDENCE; COURT PAPERS; CURRENT TOPICS;
IRELAND; LEADING ARTICLES; OBITUARY; PARLIAMENT; REVIEWS.

A.

ABERDEEN EARLDOM, A "Claimant" For, 509
Accountants, Nomination of, in the Case of Failed Firms, 820
Admiralty, Court of. *See* Probate, Divorce, and Admiralty Courts
Alabama Claims and Arbitration, 2, 175, 176, 245, 261, 300, 447, 513, 523, 585, 618, 651, 687
— Indirect Claims, 245, 513, 523
— Sir A. E. Cockburn's Opinion, 873, 885
— Address on International Arbitration, by Count Sclopis, 698
— Award, 858
— Lord Redesdale's Letter, 897
Albert Life Assurance Company Arbitration, 98, 361, 439, 458, 705, 707
— Letter from "An Actuary," 705
— Reports of Cases under the Act, 6, 65, 103, 141, 199, 305, 341, 399, 462, 483, 501, 517, 534, 554, 571, 590, 609, 630, 657, 673, 713, 732, 752, 916
Appellate Jurisdiction, Report of Select Committee, 758, 779
Appointments, Vacancies, Resignations, &c. :—
Adams, Dr. A. R., Q.C., appointed Assessor to the Chancellor's Court, University of Oxford, 87
— Placed in the Commission of the Peace for Oxfordshire, 129
Andover Recordership, Vacancy of, 508
Aspinall, J. B., Q.C., appointed Attorney-General of County Palatine of Durham, 193, 218
Barker, C. M., appointed Clerk to the Castle Eden Magistrates, Durham, 447
Batten, J., appointed a Magistrate for the County of Dorset, 759
Benjamin, J. P., receives "Silk," 760
Bere, M., Q.C., appointed Judge of Cornwall County Courts, 676
Bernard, Rt. Hon. Montague, D.C.L., appointed a Member of the Judicial Committee of the Privy Council, 86, 102
Bidder, G. P., appointed Secretary of the Magæra Commission, 87
Blair, J. K., Judge of Liverpool County Court, Resignation of, 290
Bowen, C. S. C., appointed Recorder of Penzance, 487
Bradshaw, T. J., appointed Judge of Northumberland County Courts (Circuit 1), 8, 234
Bridge, J., appointed a Magistrate of the Hammer-smith and Wandsworth Police Courts, 193, 218
Bromley, E., appointed Clerk of Assize for the Northern Circuit, 161
Button, J., appointed Clerk to the Justices of Newmarket, 865
Byrch, A. W., appointed Town Clerk of Evesham, 234
— Presentation to, 433
Campion, C. W., appointed Secretary to the Speaker of the House of Commons, 288
Chamberlin, C. H., resigns Coronership of Great Yarmouth, 793

Appointments, &c. (continued)—

Chambers, Th., Q.C., Common Serjeant and Deputy-Recorder of the City of London, Honour of Knighthood Conferred on, 356
Chandler, S., appointed Clerk to the Town Justices of Basingstoke, 122
Cherry, J., appointed Clerk of the Peace for the County of Suffolk, 268
Chester County Court, Registrar of, Vacancy of Office, 894
Childers, Rt. Hon. H. C. E., accepts Office of Chancellor of the Duchy of Lancaster, 781
Christie, R. C., appointed Chancellor of the Diocese of Manchester, 201
Clark, C., elected a Bencher of the Middle Temple, 102
Cobbett, J. M., elected M.P. for Oldham, 598
Cole, H. T., Q.C., appointed Recorder of Plymouth, 487
Cole, H. W., Q.C., appointed Judge of County Court (Circuit, No. 21), 865, 875
Coleridge, Sir John Duke, S.G., appointed Attorney-General, 29
Common Pleas, Vacancy of Office of Senior Master, 71
Cooper, C., appointed Judge of the Norwich Guildhall Court of Record, 446
Coroners and Deputy Coroners, 8, 184, 234, 329, 331, 368, 383, 391, 538, 581, 592, 626, 659, 734, 783, 791, 802, 819, 892
Courtney, L. H., appointed Professor of Political Economy in University College, 716
Cox, T., appointed Joint Clerk to the Magistrates of Evesham, &c., 234
Coxwell, E., elected Clerk of the Peace for the Borough of Southampton, 865
Davenport, J. D., appointed Secretary to the Winchester School Commission, 288
Deane, Dr. J. P., Q.C., appointed Vicar-General of Canterbury, 427
De Jersey, Hen., appointed Secondary of the City of London, 87
Denman, Hon. G., Q.C., M.P., appointed a Justice of the Court of Common Pleas, 919
De Rutzen, A., appointed Stipendiary Magistrate of the Merthyr Tydvil District, 734
Dixon, H., appointed Clerk to the Sunderland Magistrates, 367
Dodgson, H. H., appointed Master of the Common Pleas, 92
Dodson, J. G., M.P., resigns Office of Chairman of Committees, 451
— appointed a Privy Councillor, 582
Donnithorne, N., appointed Clerk to the Fareham Justices, 288
Edlin, P. H., Q.C., appointed Recorder of Bridgwater, 288
Edwards, J. N., appointed Treasurer of the Liberty of St. Albans, 754
Engleheart, G. D., appointed Clerk of the Council and Registrar of the Duchy of Lancaster, 538
Evans, W. J., appointed Clerk to the Magistrates of Ely, 49

Appointments, &c. (continued).—

Fardell, J. W., appointed Clerk to the County Magistrates of Newport, Isle of Wight, 87
 Fegen, F. J., appointed Secretary to a Committee to Investigate a Portion of the American Claims, under the Washington Treaty, 289
 Fisher, R. A., appointed Secretary to the Judicature Commission, 676
 Forster, J., resigns Office of Commissioner in Lunacy, 463
 Foster, A. C., appointed Town Clerk of Halifax, 148
 Fowler, J. C., appointed Stipendiary Magistrate of the Swansea District, 716
 Greene, J. S. T., Judge of Bolton, &c., County Courts, Resignation of, 368
 Greetham, S., appointed a Portsmouth Magistrate, 481
 Griffiths, J. O., appointed Junior Counsel at the Admiralty, 30
 Grimsey, B. P., appointed Registrar of Ipswich County Court, 446
 Grove, W. R., Q.C., appointed a Judge of the Court of Common Pleas, 77, 86
 Hall, C., elected a Benchler of the Middle Temple, 102
 Harington, R., appointed a Magistrate of the Hammersmith and Wandsworth Police Courts, 49
 ——— appointed Judge of County Courts, 201, 772
 Harper, E. E., appointed Legal Assessor of the Burgh of Leith, 268
 Hassard, J., appointed Registrar of the Diocese of Canterbury, 694
 Hastings, G. W., elected second Vice-Chairman of Worcestershire Quarter Sessions, 938
 Heath, R. C., appointed Clerk of the Peace for Warwick, 446, 576
 High Bailiffs of County Courts, 49, 347
 Hodgson, W. N., M.P., elected Chairman of the Cumberland Quarter Sessions, 699
 Hogg, Rt. Hon. Sir J. W., sworn of the Privy Council, 294
 Inner Temple, Appointment of Tutors at, 161
 Jessel, G., Q.C., appointed Solicitor-General, 30
 Jones, John, appointed Registrar of Swansea County Court, 716
 Kay, Jos., Q.C., appointed Solicitor-General for the County Palatine of Durham, 268
 Kingdon, T. K., Q.C., appointed Recorder of Bristol, 791
 Knockor, W. W., appointed Registrar of the Dunmow County Court, 106
 Law, T. H., appointed Clerk to the County Justices of Braunton, 161
 Leith, J. F., elected M.P. for Aberdeen, 676
 Local Vacancies and Appointments, 93, 106, 201, 203, 218, 222, 234, 275, 368, 386, 391, 456, 463, 472, 538, 542, 590, 592, 612, 658, 670, 676, 734, 759, 772, 810, 843, 865, 920, 938
 London, City of, Vacancy of Coronership, 331
 Longbourne, J. V., qualified as a Justice of the Peace for Sussex, 294
 Macnamara, H. T. J., appointed Judge of the Marylebone County Court, 380, 404
 McTaggart, F. E., appointed County Court Judge of Circuit No. 43, 184, 234
 Maine (Sir H. S.) appointed a Member of the Council of the Secretary of State for India, 30
 Master of the Rolls, Vacancy of Chief-Secretaryship, 102
 Mayors, 48, 49, 70, 87, 122, 920
 Mellor, J. W., appointed Recorder of Grantham, 184
 Middleton, C. J., appointed Principal Registrar of the Court of Probate, 201, 218
 Mills, C., appointed Clerk to the Huddersfield Magistrates, 367
 Mills, R., Taxing Master of the Court of Chancery, Resignation of, 1
 Morgan, W., appointed Clerk to the Stafford Board of Guardians, 161
 Nelson, T. J., City Solicitor, increase of salary, 169
 Nicholson, H., elected Clerk to the Coach &c. Makers' Co. 251
 O'Brien, Mr. Serjeant, appointed Recorder of Lincoln, 251

Appointments, &c. (continued).—

Oliver, L., appointed a Magistrate for the County of Norfolk, 464
 Owen, D. H., appointed a Registrar of the Court of Probate, London, 275
 Oxford University, Deputy Steward and Counsel to, vacancy of office, 894
 Oxford, Vice Chancellor's Court, vacancy of office of proctor, and appointment to office, 93
 Palmer, F. D., elected Clerk of the Yarmouth Board of Guardians, 307
 Peacock, Rt. Hon. Sir Barnes, appointed a Member of the Privy Council, 618, 636
 Peele, G. De C., appointed Clerk of the Peace for Salop, 538
 Pemberton, H. L., appointed solicitor to the Suitors' Fund of the Court of Chancery, 106
 Perceval, C. S., appointed Secretary to the Lunacy Commissioners, 538
 Phillimore, W. G. F., appointed Chancellor of the Diocese of Lincoln, 463
 Philipps, R. N., J.P., receives degree of LL.D., 647
 Phillips, C. P., appointed a Commissioner in Lunacy, 463
 Pickard, Mr., appointed Deputy Registrar of the West Riding of Yorkshire, 890
 Powell, F. S., returned to Parliament for the North West Riding, 294
 Preston, L., elected Clerk of the Peace for Gt. Yarmouth, 307
 ——— appointed Clerk to Visiting Justices of Yarmouth Gaol, 368
 Quain, J. R., Q.C., appointed a judge of the Court of Queen's Bench, 155
 Queen's Counsel, New, 194, 225, 247
 Ravenhill, W. W., appointed Recorder of Andover, 536
 Rayner, Joseph, placed on Commission of the Peace for the West Riding, 73
 Reeve, Simms, appointed Recorder of Great Yarmouth, 487
 Revising Barristers, 788, 802
 Robertson, Sir D. B., receives the honour of Knighthood, 647
 Robinson, H. D., appointed Registrar of the Settle County Court, 519
 Rogers, Sir Fred., raised to the Peerage by title of Baron Blackford, 16
 Rogers, T. E., appointed Recorder of Wells, 694
 Rose, Sir John, created a Baronet, 781
 Roundell, C. S., appointed Secretary to the Universities Commission, 268
 Seagram, J., appointed Poor Law Auditor for the Counties of Somerset and Wilts, 184
 Sheriffs and Undersheriffs, 45, 87, 289, 307, 346, 694, 734
 Simpson, A. W., appointed Recorder of Scarborough, 463
 Slann, J. H., appointed Registrar of the Attleborough County Court, 367
 Smallpiece, M., appointed Clerk to the Magistrates of Guildford, 464
 Snell, G. J., elected Clerk to the Dunmow District Highway-board, 184
 Southall, T., appointed Town Clerk of Worcester, 201
 Spackman, G., appointed Registrar of the Trowbridge County Court, 611
 Speechly, Thomas, appointed Registrar of the City of London Court, 920
 Spilsby County Court, Vacancy of Office of Registrar, 73
 Stephens, James, LL.D., appointed Judge of the Lincolnshire County Court, 49, 63
 Stephens, A. J., Q.C. LL.D., appointed Chancellor of the Diocese of St. David's, 404
 Stipendiary Magistrates in the provinces, 618
 Stockdale, H. M., appointed Vice-chairman of the Northampton Court of Quarter Sessions, 694
 Suffolk, Clerkship of the Peace, Vacancy of, 235
 Sunderland, Borough Justices of, Vacancy of Clerkship to, 323
 Swyer, R., appointed Clerk to the Justices of Shaftesbury Division, 920

Appointments, &c. (*continued*)—

- Sykes, J., appointed Clerk to the County Magistrates for Huddersfield and Upper Agbrigg Divisions, 329
 Thompson, T. P. E., appointed Recorder of Scarborough, 201
 — appointed Judge of the Liverpool County Court, 463
 Toller, G., appointed Town Clerk of Leicester, 892
 Trevor, W. C., appointed Deputy Clerk of the Peace of the North Riding, 819
 Tristram, Dr. T. H., appointed Chancellor of the Diocese of London, 427
 — appointed Chancellor of the Diocese of Hereford, 592
 Trowbridge County Court, Vacancy of Registrars, 500
 Twiss, Sir Travers, Q.C., D.C.L., resignation of offices, 390
 Tynemouth Magistrates' Clerk, Salary of, 332
 Wace, Rev. H., elected to the chaplaincy of Lincoln's Inn, 481
 Walker, W., appointed Lord Mayor of York, 49
 Wallis, P. J., appointed Town Clerk of Bodmin, 446
 Ward, R. A., elected Clerk to the Magistrates of Great Marlow, 463
 Ward, W. C., appointed Deputy Prothonotary of the Court of Common Pleas of Durham, 8
 Warner, J. H., appointed Counsel to the chairman of Committees of the House of Lords, 106
 Whitfield, W., appointed the First Town Clerk of Rotherham, 49
 Willett, C. W., appointed a Surrogate of the Diocese of Norwich, 592
 Williams, G., appointed Stipendiary Magistrate for Llantrissant, &c., 611
 Williams, Richard, late Town Clerk of Denbigh, Presentation to, 759
 Winchester County Court, Vacancy of Office of High-bailiff, 347
 Woolf, R., resigns office of Town Clerk of Worcester 45
 Wortham, H., appointed Clerk of the Peace for Herts, 161
 Wright, E. M., appointed Registrar of the Bacup County Court, 819
 Wynne, F., appointed Town Clerk of Denbigh, 446
 Young, Rt. Hon. George, Q.C., M.P., becomes a Bench-er of the Middle Temple, 84
 — Created a Privy Councillor, 793
 Commissioners to Administer Oaths in Chancery, 30, 106, 184; 234, 251, 307, 464, 519, 538, 556, 592, 637, 734, 754, 772, 819, 833, 920
 — Common Law, 184, 307, 502, 833
 — in the Stannaries Court, 659
 — to take Acknowledgments of Married Women, 307, 346, 368, 383, 464, 833, 881
 Indian Appointments, 148, 307, 553, 694, 881
 Colonial Appointments:—
 Barbadoes, 36
 Cape of Good Hope, 123
 Grenada, 404
 Isle of Man, 49
 Jamaica, 8, 218
 Lagos, 463
 Leeward Islands, 637
 Saint Lucia, 3, 30
 Straits Settlements, 49
 Arbitration, International, Address by Count Sclopis, 698.
 — See also Alabama Claims
 Articled Clerks' Society, 34, 71, 90, 107, 127, 149, 203, 235, 292, 312, 330, 356, 372, 411, 452, 470; 881
 Attorney-General and Solicitor-General, Remuneration of, 189, 513, 651

B.

- BALLOT, 361, 440, 448, 496, 567, 623, 668, 707, 727
 — The, and its Possibilities, 184
 Ballot Act, Districts and Polling-places under, 777, 797
 Bankruptcy:—
 Birmingham Chamber of Commerce on Bankruptcy, 271
 Bankruptcy, The Law of, by J. H. E. Gill, 50

Bankruptcy (*continued*)—

- Bankruptcy Procedure, The Lord Chancellor on, 388
 Bankruptcy in France, 240
 Bankruptcy, Cost of the Court of, 500
 — Court, Proceedings in, 6, 7, 27, 47, 69, 85, 121, 148, 187, 265, 266, 288, 306, 343, 383, 425, 445, 502, 535, 555, 574, 634, 674, 690, 733
 — Recent Decisions in:—
 Act of Bankruptcy—Fraudulent Conveyance (*Ex parte Hawker, Re Keely*, L.J.J. 20 W. R. 322; *Ex parte Luckes, Re Wood*, L.J.J. 20 W. R. 403); 553
 Act of Bankruptcy—Assignment of all Debtors' Property (*Ex parte Reed, Re Tweedell*, C.J.B. 20 W. R. 622; *Fisher, Ex parte, Re Ash*, L.J.J. 20 W. R. 849; *Ex parte Bolland, Re Price*, C.J.B. 20 W. R. 862); 880
 Bankruptcy Act, 1869, s. 13—Injunction—Execution on other Legal Process (*Ex parte Birmingham and Staffordshire Gas Light Company, In re Fanshau and Young*, C.J.B. 19 W. R. 603; *Ex parte Hughes, in Re Browne*, C.J.B. 19 W. R. 771); 5
 Bankruptcy Act, 1870, s. 13—Injunction—Staying Proceedings (*Ex parte Mills, Re Manning*, C. J. B. 19 W. R. 912); 25
 Bankruptcy Act, 1869, s. 72—Jurisdiction of Courts of Bankruptcy (*Ex parte Wood, Re Taylor and Rumboll*, C.J.B. 19 W. R. 601; *Ex parte Rumboll, Re Taylor and Rumboll*, L.J.J. 19 W. R. 1102—*Macdonald v. Purvis, In re Beveridge*, C.J.B. 19 W. R. 717); 5
 Bankruptcy Act, 1869, s. 87—Seizure and Sale—Debt over £50 (*Ex parte Liverpool Loan Company, Re Bullen*, C.J.B. 20 W. R. 768); 892
 Debt barred by Bankruptcy—Fresh Promise to Pay (*Jones v. Phelps*, C.J.B. 20 W. R. 92); 519
 Debtors' Summons—Act of Bankruptcy (*Ex parte Weir, Re Weir*, L.J.J. 19 W. R. 1042); 45
 Disclaimer of Onerous Property (*Ex parte Llynvi Coal and Iron Company, Re Hide*, L.J.J. 20 W. R. 105); 589
 Double Proof—Two Estates (*Ex parte Hoeny, Re Jeffery*, L.J.J. 20 W. R. 223; *Ex parte Wilson, Re Douglas*, L.J.J. 20 W. R. 564); 849
 Execution Creditor—Priority—Seizure before act of Bankruptcy (*Ex parte Rock, In re Hall*, C.J.B. 19 W. R. 677; *L.C. & L.J. 19 W. R. 1129*); 25
 Execution Creditor—Seizure and Sale (*Ex parte Rayner, In re Johnson*, C.J.B. 20 W. R. 397; L.J.J. 20 W. R. 456); 864
 — (*Ex parte Williams, In re Davies*, L.J.J. 20 W. R. 430); 864
 Filing Resolution—Stamp Duty (*Ex parte Davis, Re Davis*, C.J.B. 20 W. R. 622; L.J.J. 20 W. R. 791); 891
 Judgment Debt—Impeaching Judgment (*Ex parte Chatteris, Re Earl of Orkney*, L.J.J. 20 W. R. 322); 879
 Jurisdiction—Injunction—Bankruptcy Act, 1869, s. 72 (*Ex parte Cohen, Re Sparke*, L.J.J. 20 W. R. 69); 517
 Jurisdiction—Restraining Action in Ireland (*Ex parte Tait, Re Tait and Company*, C.J.B. 20 W. R. 318); 553
 Member of Parliament—Liquidation by Arrangement (*Ex parte Paley, Re Russell*, L.J.J. 20 W. R. 735); 891
 Money Received by Uncertificated Bankrupt, and paid away by him (*Ex parte Dewhurst, Re Fanshau*, L.J.J. 20 W. R. 172); 534
 Petitioning Creditor's Debt—Debitum in presenti solvendum in futuro (*Ex parte Sturt, Re Percy*, C.J.B. 20 W. R. 200); 533
 Special Resolution of Creditors—Bankruptcy Act, 1869, s. 28—Power of the Court (*Ex parte Hunt, In re Winn*, C.J.B. 19 W. R. 714); 5
 Bankrupts, Alphabetical Lists of, 18, 37, 57, 75, 95, 112, 131, 152, 172, 190, 208, 223, 242, 259, 276, 295, 316, 333, 359, 376, 391, 416, 435, 454, 474, 492, 509, 525, 544, 565, 583, 600, 620, 648, 665, 681, 701, 722, 743, 763, 783, 795, 811, 822, 839, 855, 871, 883, 895, 905, 923, 944
 Birmingham Chamber of Commerce on Bankruptcy, 271

Birmingham District Court of Bankruptcy, Closing of, 187
 Birmingham Law Students' Society, 55, 201, 356
 Birmingham Library, 185
 Births, Marriages, and Deaths, 17, 36, 56, 74, 94, 111, 130, 151, 171, 189, 208, 222, 241, 258, 275, 294, 314, 332, 358, 375, 391, 416, 433, 453, 472, 490, 508, 524, 543, 563, 583, 598, 619, 647, 664, 680, 700, 721, 742, 762, 782, 793, 810, 821, 838, 854, 870, 882, 894, 905, 922, 940
 Bolton Riots Commission, 472
 Bookbinding, Human Skin, 414
 Bristol Recordship, 782
 Banyon, O. J., Valuation of Running Policies of a Life Office, 251

C.

CANADA, Law Reform in, 93
 Cape Diamond Fields, High Court of Justice at, 123
 Cardiff, Proposed Law Library at, 92
 Central Criminal Court Proceedings, 69
 Chancery, Court of, Costs of the Court, 500
 Unclaimed Chancery Dividends, 149
 Proceedings, 6, 27, 68, 250, 265, 287, 555, 574, 591, 658, 674, 689, 754
 Chancery, Court of, Recent Decisions in—
 Apportionment (*Jones v. Oyle*, M.R. 20 W. R. 794); 789
 Apportionment of Costs (*Begbie v. Fenwick*; *Fenwick v. Begbie*, L.J. 20 W. R. 67); 730
 Arbitration Clause—Staying Proceedings under the C. L. P. Act, s. 11 (*Willesford v. Watson*, V.C.W. 20 W. R. 32); 119
 Army Commission, Charges on Proceeds of—Notice (*Calisher v. Forbes*, L.J. 20 W. R. 160); 711
 Bankruptcy—Forfeiture—Annulment (*Re Parnham's Trusts*, M.R. 20 W. R. 396); 460
 Bequest of Share of Partnership Property (*Farquhar v. Haddon*, L.J. 20 W. R. 46); 303
 Building Contract—Agreement to Abide by Architect's Certificate (*Kimberley v. Dick*, M.R. 20 W. R. 49); 43
 Charity—Perpetuity (*Chamberlayne v. Brockett*, M.R. 20 W. R. 739); 863
 Charter-party—Lien for Dead Freight—Notice (*Peek v. Larsen*, M.R. 19 W. R. 1045); 180
 Company, Transfer of Business a Virtual Dissolution of (*Re Accidental Death Insurance Co.*, *Chappell's case*, L.J. 20 W. R. 9); 499
 Composition with Creditors—Jurisdiction of Court of Chancery to re-open (*Pike v. Dickenson*, L.C. 20 W. R. 81); 230
 Concealed Owner—Secret Benefit—Rescission of Contract (*Kimber v. Barber*, M.R. 20 W. R. 602); 688
 Conditions on Sales by the Court (*Else v. Else*, M.R. 20 W. R. 286); 442
 Construction—Devise to Unmarried Woman for Life, with remainder in Fee to Her Husband (*Radford v. Willis*, V.C.M. 19 W. R. 845; L.J. 20 W. R. 132); 339
 Consumable Articles—Life Interests in Farming Stock (*Cockayne v. Harrison*, M.R. 20 W. R. 504); 589
 Contributories, Class B. (*Re Oriental Commercial Bank*, *Morris's case*, L.J. 20 W. R. 25); 101
 Corporation—Contract not under Seal (*Crook v. Corporation of Seaford*, L.C. 19 W. R. 938); 44
 Creditor's Right to Winding-up Order—It is *ex debito justitie* (*Re Langley Mills Steel & Iron Co.*, V.C.M. 19 W. R. 674); 499
 Directors' Implied Obligation to Take the Number of Shares Necessary Qualification for (*Re Great Oceanic Telegraphic Co.*, *Harward's case*, V.C.M. 20 W. R. 84); 264
 Directors, Informal Agreement by—Liability of the Company (*Re Bonell's Telegraph Co.*, *Collier's claim*, V.C.B. 19 W. R. 1022); 64
 Disposal of Real Estate by Married Woman (*Pride v. Bubb*, L.C. 20 W. R. 220); 750
 Distribution, Statute of, section 6—Grandchildren and Great Grandchildren (*Re Ross's Trusts*, V.C.W. 20 W. R. 231); 397
 Executor—Power to Pledge Credit of Testator's Estate (*Farhall v. Forhall*, L.J. 20 W. R. 156); 443

Chancery, Recent Decisions in (*continued*)—
 Foreclosure Suit—Judgment Creditors (*Cork, Earl of v. Sir W. Russell*, V.C.M. 20 W. R. 164); 712
 Guarantees under Seal—How far Revocable in Equity (*Burgess v. Eve*, V.C.M. 20 W. R. 311); 570
 Infant, Representation by, that he is of Age—Fraud (*Cornwall v. Hawkins*, V.C.M. 20 W. R. 653); 671
 Infant Transferee—Repudiation of Shares (*Re Contract Corporation*, *Baker's case*, L.J. 20 W. R. 169); 231
 Issue, Presumption against having Issue (*Re Milner's Estate*, V.C.M. 20 W. R. 823); 863
 Jurisdiction to Remove Bankrupt Trustees—Bankruptcy Act, 1869, s. 117 (*Coombs v. Brooks*, V.C.M. 19 W. R. 1002); 24
 Jurisdiction as to Compromises with Contributories (*Re East of England Banking Co.*, *Pearsons case*, V.C.M. 20 W. R. 352; L.J. 20 W. R. 394); 656
 Lands Required for Purposes of Undertaking—Engineer's Certificate (*Kemp v. South Eastern Railway Company*, L.C. 20 W. R. 306); 482
 Lapse of Time—Acquiescence (*Sleeman v. Wilson*, V.C.B. 20 W. R. 109); 750
 Leases and Sales of Settled Estates Act—Cash in Court—Investment (*Thorold's Trusts*, V.C.M. 20 W. R. 898); 934
 Legacies to Executors (*Bubb v. Yelverton*, M.R. 20 W. R. 164); 324
 Legatee Pre-deceasing Testator (*Browne v. Hope*, V.C.W. 20 W. R. 667); 627
 Lien, Statutory, for Costs on Property Recovered or Preserved—Jurisdiction (*Heinrich v. Sutton*, L.J. 19 W. R. 1075); 25
 Light and Air, Nature of Rights to (*Kell v. Pearson*, L.J. 19 W. R. 665); 139
 Maintenance—Contingent Reversionary Property (*De Witte v. Palm*, V.C.M. 20 W. R. 858); 789
 Marriage Articles—Failure of Performance by One of the Parties (*Jeston v. Key*, M.R. 19 W. R. 342; L.J. 20 W. R. 864); 64
 Metropolitan Building Act, 25 & 26 Vict. c. 102, s. 75—Projection Beyond General Line of Buildings (*Brutton v. St. George's, Hanover Square*, V.C.M. 20 W. R. 84); 215
 Mistake of Law not a Ground of Equitable Relief (*Powell v. Smith*, M.R. 20 W. R. 602); 831
 Mortgage Leaseholds—Sale by Mortgagee under Trustees' and Mortgagees' Act (*Hiatt v. Hillman*, M.R. 19 W. R. 695); 197
 Mortgage by an Executor to a Building Society (*Cruikshank v. Duffin*, V.C.M. 20 W. R. 354); 915
 Mortgage of Policy—Bankrupt Mortgagor—Lien (*Shearman v. British Empire Mutual Life Assurance Society*, M.R. 20 W. R. 620); 832
 Newspaper Libel—Name of Proprietor—Bill of Discovery (*Dixon v. Enoch*, V.C.W. 20 W. R. 359); 517
 Official Liquidators, Status of, as Litigants (*Re Contract Corporation*, *Gooch's case*, M.R. 20 W. R. 345); 460
 Partition Act, 1868—Sale at Request of Infant Plaintiff (*France v. France*, V.C.W. 20 W. R. 230); 397
 Partition Act, 1868, ss. 4, 9—Decree for Immediate Sale (*Underwood v. Stewardson*, V.C.W. 20 W. R. 668); 688
 Patent—Circular Threatening Proceedings for Infringement—Damage to Property (*Rollin v. Hinks*, V.C.M. 20 W. R. 287); 381
 Patent, Anticipation of—Antecedent Discovery (*Murray v. Clayton*, L.J. 20 W. R. 649); 847
 Power—Instrument in Writing—Will—Delivery—Publication (*Smith v. Adkins*, M.R. 20 W. R. 717); 879
 Practice—Costs of Unjustifiable Litigation (*Turner v. Collins*, V.C.M. 19 W. R. Ch. Dig. 83); 179
 Practice—Security for Costs—Cause and Cross Cause—Limited Company (*City of Moscow Gas Company v. International Financial Society*, M.R. 20 W. R. 196); 286
 Practice—Transfer of Public House Licenses (*Cowes v. Gale*, L.J. 20 W. R. 70); 139
 Practice—Trustee Relief Act—Costs of Petition for Dividends (*Re W. Evans's Trust*, V.C.M. 20 W. R. 571; L.J. 20 W. R. 695); 769

Chancery, Recent Decisions in (continued)—

Priority by Virtue of Prior Stop Order (*Official Liquidator of Birmingham Banking Company v. Carter*, V.C.M. 20 W. R. 354)

Proceeds of Sale of Land—Real or Personal Estate (*Atwell v. Atwell*, M.R. 20 W. R. 108); 323

Purchase at Auction—Mistake (*Torrance v. Bolton*, V.C.M. 20 W. R. 718); 655

Railway Company—Compulsory Powers—Vendor and Purchaser (*Harding v. Metropolitan Railway Company*, L.C. 20 W. R. 321); 671

Railway Company—Purchase of Shares in Another Company—Secret Trust—Order and Disposition (*Great Eastern Railway v. uner*, M. 20 W. R. 736); 768

Railway Company—Separate Undertaking (*Re Ogilvie*, L.J.J. 20 W. R. 226); 397

Railway Company—Vendor's Costs of Arbitration (*Earl Ferrers v. Stafford and Uttoxeter Railway Company*, M.R. 20 W. R. 478); 607

Restraint on Application to Parliament—Enclosure Commissioners (*Telford v. Metropolitan Board of Works*, 20 W. R. 481); 632

Settlement—Ultimate Trust in Default of Issue Inoperative (*Gibbs v. Grady*, M.R. 20 W. R. 257); 443

Solicitor—Attachment—Debtors' Act, 1869, s. 4, subsection 4 (*Re B. Hope, a Solicitor*, L.J. 20 W. R. 695); 768

Solicitor—Charge on Property "Recovered or Preserved"—22 & 23 Vict. c. 127, s. 28 (*Baile v. Baile*, V.C.W. 20 W. R. 534); 607

Solicitor—School Board Taxation (*Re H. B. Jones*, M.R. 20 W. R. 295); 423

Stamps on Policies of Mutual Marine Insurance (*Re Albert Average Association, Blythe & Co.'s Case*, M.R. 20 W. R. 504); 627

Statute of Limitations—What is Possession—Costs (*Phillipson v. Gibbon*, L.J. 19 W. R. 661); 44

Taxation—Costs of Third Counsel (*Cousens v. Cousens*, L.J. 20 W. R. 48); 118

Trade Marks (*Ford v. Forster*, L.J.J. 20 W. R. 818); 711

Trade Mark, Spurious—Duties of Consignee (*Upmann v. Elkan*, M.R. 19 W. R. 867); 44

Trust for Sale—Security for Loan—Statute of Limitations, 3 & 4 Will 4, c. 27, ss. 25, 28 (*Locking v. Parker*, M.R. 20 W. R. 737); 890

Trustees' Power of Leasing (*Re Shaw's Trusts*, V.C.W. 19 W. R. 1025); 25

Voluntary Settlement—Maintenance—Doctrine of (*Mundy v. Earl Howe (Re Kerrison's Trusts)*, V.C.M. 19 W. R. 967); 179

Voluntary Settlement—Power of Revocation (*Phillips v. Mullings*, L.C. 20 W. R. 129); 323

Wife's Equity to a Settlement (*Giacometti v. Prodgers*, V.C.M. 20 W. R. 859); 915

Will—Absolute Interest—Maintenance of Children (*Mackett v. Mackett*, V.C.B. 20 W. R. 860); 915

Winding up—Bill of Costs of Liquidator's Solicitor (*Re Trueman's Estate, Hooke v. Piper*, V.C.B. 20 W. R. 700); 769

Winding up—Proof of Debt—Statute of Limitations (*Re General Rolling Stock Company, Claim of Joint Stock Discount Company*, M.R. 20 W. R. 621; L.J. ib. 762) 847

Circuits, Proceedings on, 403, 446, 690, 714, 772

Coates, Mr. Wallingford, Fatal Accident to, 71

Cockburn, Lord Chief Justice, 916

Coleridge, Sir J. D., Attorney-General, on Law Reform, 850

Collier, Sir R. P., Appointment of, to Privy Council, 39, 60, 94, 97, 279, 289, 299, 304, 308, 311

Commerce, Courts of, 203, 218, 227, 246, 251

Common Law, Courts of, Recent Decisions in:—

Action against Sheriff—Action of Tort (*Stimpson v. Farnham*, Q.B. 20 W. R. 183); 198

Arbitrator—Implied promise to use Skill—Contract of Broker (*Pappa v. Rose*, C.P. and Ex. Ch. 20 W. R. 62, 784); 120, 731

Attorney—Negligence—Registration of *lis pendens* (*Plant v. Pourman*, Q.B. 20 W. R. 314); 340

Common Law, Recent Decisions in (continued)—

Attorney—Practice (*Re Bruton*, C.P. 20 W. R. 298); 340

Attorney's Lien for Costs (*Mercer v. Graves*, Q.B. 20 W. R. 605); 628

Auctioneer, Authority of—Paying-out Distress (*Sweeting v. Turner*, Q.B. 20 W. R. 185); 232

Banker and Customer—Money had and received (*British and American Telegraph Company v. Albion Bank*, Ex. 20 W. R. 413); 482

Bankruptcy—Debtor's Surplus Estate—Re-vesting of Debts (*Lockwood v. Jenkinson*, Q.B. 20 W. R. 182); 231

Bastardy Order—Dismissal on Merits (*Reg v. Flintshire, J.J.* Q.B. 20 W. R. 94); 160

Bill of Sale—Sufficient Description (*Jones v. Harris*, Q.B. 20 W. R. 143); 180

Breach of Contract—Breach of Promise of Marriage (*Frost v. Knight*, Ex. Ch. 20 W. R. 471); 500

Broker—Custom of Market (*Mollett v. Robinson*, Ex. Ch. 20 W. R. 544); 688

Cab—Bailment for Hire—Master and Servant (*Fowler v. Lock*, C.P. 20 W. R. 673); 890

Carrier, Common (*Liverpool Alkali Company v. Johnson*, C.P. 20 W. R. 633); 672

Carriers—Negligence (*Richardson v. North-Eastern Railway Company*, C.P. 20 W. R. 461); 500

Carriers' Risk, Policy to protect (*Joyce v. Kennard*, Q.B. 20 W. R. 233); 303

Carriers of Animals (*Great Western Railway Company v. Blower*, C.P. 20 W. R. 776; *Kendall v. London and South-Western Railway Company*, Ex. 20 W. R. 886); 890

Charter-party—Condition precedent (*Bradford v. Williams*, Ex. 20 W. R. 782); 731

Charter-party—Outward and Homeward Voyage (*Harrison v. Garthorne*, Q.B. 20 W. R. 722); 833

Charter-party—Port to be named by Charterer (*The Teutonia*, 20 W. R. 421); 461

Common Rights, Compensation for (*Stoneham v. London Brighton and South Coast Railway Company*, Q.B. 20 W. R. 77); 101

Compensation for Lands injuriously affected under Lands Clauses Act, 1845 (*Queen v. St. Luke's, Chelsea*, Ex. Ch. 20 W. R. 209); 286

Compensation for Mines (*Dunn v. Birmingham Canal Company*, Q.B. 20 W. R. 673); 571

Contract—Option of relying on improper Performance as Defence to Action for Price of Work, or of bringing Cross-Action (*Davis v. Hedges*, Q.B. 20 W. R. 60); 119

Contract obtained by Fraud—Rescission (*Clough v. London and North-Western Railway Company*, Ex. Ch. 20 W. R. 189); 249

Costs—Certificate of Judge (*Hinde v. Shepherd*, Ex. 20 W. R. 99); 120

County Court trying Issues—Power to amend (*Rennison v. Walker*, Ex. 20 W. R. 471); 532

County Court, Case remitted to (*Doyle v. Hanks*, C.C.R. (Ir.) 20 W. R. 337); 890

Covenant for Title (*Coates v. Collins*, Ex. Ch. 20 W. R. 137); 197

Covenant not to Engage in Trade—"Merchant" (*Joselyn v. Parsons*, Ex. 20 W. R. 316); 397

Covenant not to Carry on Business—Distance (*Mouflet v. Cole*, Ex. 20 W. R. 339); 398

Criminal Law—Second Conviction (*Reg. v. Willis*, C.C.R. 20 W. R. 632); 672

Encroachment by Tenant (*Whitmore v. Humphries*, C.P. 20 W. R. 79); 102

Evidence—Questions Going to Witness's Credit (*Reg. v. Holmes*, C.C.R. 20 W. R. 123); 161

Evidence, Competency of Prisoner to Give (*Reg. v. Payne*, C.C.R. 20 W. R. 390); 444

Evidence of Prisoner's Wife (*Reg. v. Thompson*, C.C.R. 20 W. R. 728); 819

Fixtures (*Holland v. Hodgson*, Ex. Ch. 20 W. R. 990); 934

General Average (*Harrison v. Bank of Australia*, Ex. 20 W. R. 385); 444

Guarantee or Primary Liability (*Mount Stephen v. Lakeman*, Ex. Ch. 20 W. R. 117); 160

Common Law, Recent Decisions in (continued)—

- Highway—Highway Acts of 1834 and 1864 (*Marshall v. Uleswater Steam Navigation Company*, Q.B. 20 W. R. 144; *Reg. v. Richmond, J.J. Q.B.* 20 W. R. 203; *Vestry of St. Mary Newington v. Jacobs*, Q.B. 20 W. R. 249); 264
- Husband and Wife—Necessaries (*McCredy v. Taylor*, C.P. (Ir.) 20 W. R. 252); 324
- Husband and Wife—Separate Use—Money Had and Received (*Jones et ux. v. Cuthbertson*, Q.B. 20 W. R. 381); 424
- Innkeeper—Negligence of Guest (*Oppenheim v. White Lion Hotel Company*, C.P. 20 W. R. 34); 119
- Insolvency, Double (*Bank of Ireland v. Perry*, Ex. 20 W. R. 300) 341
- Inspection of Documents—Costs (*Fenner v. South Eastern Railway Company*, Q.B. 20 W. R. 830; *Republic of Peru v. Weguelin*, C.P. 20 W. R. 745); 770
- Insurable Interest—Fire Insurance (*North British Mercantile Insurance Company v. Moffatt*, C.P. 20 W. R. 114); 140
- Judgment against Joint Tort Feasor without satisfaction (*Brinsmead v. Harrison*, Ex. Ch. 20 W. R. 784); 818
- Landlord and Tenant—Incoming Tenant—Agricultural Tenancy (*Stafford v. Gardiner*, C.P. 20 W. R. 299); 340
- Proceedings in County Court (*Hodson v. Walker*, Ex. 20 W. R. 489); 532
- Breach of Covenant—Forfeiture (*Farley v. Capard*, C.P. 20 W. R. 972; *Grimwood v. Moss*, C.P. 20 W. R. 916)
- Liability of Ultimate Assignee of Lease to Lessee (*Moule v. Garrett*, Ex. Ch. 20 W. R. 416); 461
- Malicious Trespass (*White v. East* Q.B. 20 W. R. 382); 751
- (*Reg. v. Justices of Essex*, Q.B. 20 W. R. 670); 751
- Marine Policy, Assignment of (*Lloyd v. Fleming*, Q.B. 20 W. R. 296); 340
- Concealment—Effect of Signing Slip (*Cory v. Paton*, Q.B. 20 W. R. 364); 423
- General Average—Foreign Adjustment (*Harris v. Staramanga*, C.P. 20 W. R. 777); 790
- Misrepresentation (*Anderson v. Pacific Fire and Marine Insurance Company*, C.P. 20 W. R. 280); 304
- Stranding (*De Mattos v. Saunders*, C.P. 20 W. R. 801); 832
- Marriage—Invalidity—Bigamy (*Reg. v. Rea*, C.C.R. 20 W. R. 632; *Greaves v. Greaves*, Div. 20 W. R. 802; *Reg. v. Allen*, C.C.R. 20 W. R. 756); 799
- Master and Servant—Negligence (*Britton v. Great Western Cotton Company*, Ex. 20 W. R. 525); 608
- Metropolitan Buildings Act, 1855—Surveyors' Fees (*Caudwell v. Hanson*, Q.B. 20 W. R. 262); 216
- Mines—Rateability of Surface Works (*Queen v. Overseers of East Dean*, Q.B. 20 W. R. 332); 382
- Negligence (*Wilson v. Newbury*, Q.B. 20 W. R. 113); 160
- Railway (*Hanson v. Lancashire and Yorkshire Railway Company*, C.P. 20 W. R. 297); 324
- Railway Company (*Daniel v. Metropolitan Railway Company*, H.L. 20 W. R. 37; *Kearney v. London, Brighton, and South Coast Railway Company*, Ex. Ch. [from Q.B.] 20 W. R. 24); 64
- Remoteness (*Sharp v. Powell*, C.P. 20 W. R. 584); 608
- "New Street" (*Pound v. Plumstead Board of Works*, Q.B. 20 W. R. 177); 286
- Nuisance (*Barnes v. Aekroyd*, Q.B. 20 W. R. 671); 751
- (*Cook v. Montagu*, Q.B. 20 W. R. 625); 751
- (*Norris v. Barnes*, Q.B. 20 W. R. 703); 751
- (*Reg. v. Justices of West Riding*, Q.B. 20 W. R. 712); 751
- Obscene Publication—Report of Judicial Proceedings (*Steele v. Braunan*, C.P. 20 W. R. 607); 627
- Partnership (*Noakes v. Barlow*, Ex. Ch. 20 W. R. 383); 443
- Partnership Liability—Partnership Act, 1865 (*Holme v. Hammond*, 20 W. R. 747); 731
- Poor Law—Break of Residence (*Reg. v. St. Ives Union*, Q.B. 20 W. R. 657); 713
- Poor Rate—Tolls (*Reg. v. Caswell*, Q.B. 20 W. R. 624); 671
- Practice—Interrogatories—Inspection (*Richards v. Gelletly*, C.P. 20 W. R. 630; *Phillips v. Routh*, C.P. 20 W. R. 630); 712

Common Law, Recent Decisions in (continued)—

- Practice—Joinder of Plaintiffs (*Degendre v. Bogardus*, C.P. 20 W. R. 663); 672
- Principal and Agent (*Tetley v. Shand*, C.P. 20 W. R. 296); 303
- Principal and Surety (*Bechervaise v. Lewis*, C.P. 20 W. R. 726); 801
- Quiet Enjoyment, Action on the Covenant for (*Dennett v. Atherton*, Ex. Ch. 20 W. R. 442); 551
- Rating Docks—Entire System (*Reg. v. Justices of Lancashire*, Q.B. 20 W. R. 827); 818
- Rating—Separate Tenement (*Queen v. St. George's Union Assessment Committee*, Q.B. 20 W. R. 179); 197
- Registration Cases (*Bendle v. Watson*, C.P. 20 W. R. 145); 533
- (*Calver v. Roberts*, C.P. 20 W. R. 147); 533
- (*Townsend v. Overseers of Marylebone*, C.P. 20 W. R. 148); 533
- (*Ford v. Boon*, C.P. 20 W. R. 251); 533
- (*Firth v. Overseers of Widdicombe*, C.P. 20 W. R. 234); 533
- (*Huckle v. Piper*, C.P. 20 W. R. 235); 552
- (*Chorlton v. Overseers of Stratford*, C.P. 20 W. R. 236); 552
- (*Moger v. Escott*, C.P. 20 W. R. 368); 552
- (*Simey v. Dixon*, C.P. 20 W. R. 238); 552
- Registration Appeal—Borough Vote—Period for which Payment of Rates is required (*Cull v. Austin*, *Austin v. Cull*, C.P. 20 W. R. 863); 818
- Revocation of Express Devises by General References (*Wallace v. Seymour*, Ex. Ch. [Ir.] 20 W. R. 634); 848
- Right to Return—Alteration in Condition of the Thing (*Head v. Tattervall*, Ex. 20 W. R. 115); 180
- Sale of Goods—Payment on Delivery (*Castle v. Playford*, Ex. Ch. 20 W. R. 440); 600
- Service of Writ on Foreign Corporations (*Newby v. Van Offen and Coll's Patent Firearms Manufactory Company*, Q.B. 20 W. R. 383); 424
- Set-off in Bankruptcy—Executor's Amount (*Bailey v. Finch*, Q.B. 20 W. R. 294); 339
- Shipowner's Duty as to Goods Damaged (*Notara v. Henderson*, Ex. Ch. 20 W. R. 443); 482
- Shipping—"Steamship" (*Fraser v. Telegraph Construction and Maintenance Company*, Q.B. 20 W. R. 724); 801
- "Necessaries" (*The Riga*, Adm. 20 W. R. 927); 916
- Slander—Privileged Communication (*Brett v. Watson*, Q.B. 20 W. R. 723); 832
- Special Damage (*Davis v. Solomon*, Q.B. 20 W. R. 167); 286
- Stamp Duty—Double Duty (*Limmer Asphalts Paving Company v. Commissioners of Inland Revenue*, Ex. 20 W. R. 610); 656
- Statute of Frauds—Memorandum of Contract (*Buxton v. Rust*, Ex. 20 W. R. 100); 139
- Statute of Limitations—Purchaser without Conveyance (*Drummond v. Sant*, Q.B. 20 W. R. 18); 82
- Statutory Duty—Action (*Atkinson v. Newcastle and Gateshead Water Company*, Ex. 20 W. R. 35); 81
- Trover—Evidence of Conversion (*Fowler v. Hollins*, Ex. Ch. 20 W. R. 868); 790
- Unborn Children (*The George*, Adm. 20 W. R. 248); 265
- Valuation List—Gross and Rateable Value (*Queen v. St. Paneras Assessment Committee*, Q.B. 20 W. R. 92); 120
- Watercourse—Prescription (*Mason v. Shrewsbury and Hereford Railway Company*, 20 W. R. 14); 81
- Common Pleas, Court of, Proceedings, 216, 325, 433
- Copyhold and Tithes Commission, 357
- Copyright, Musical, in Spain, 73
- Correspondence:—
- "Abdication" of Functions in Bankruptcy Business by County Court Judges, 327
- Absents, Property of, 404
- Acknowledgments of Married Women, 218
- Advertising, Non-professional, 234, 426, 478, 488
- Affidavits in Bankruptcy, 268, 329
- Articles of Clerkship, 464
- Bank of England Practice, 299, 308
- Bankruptcy Act, 1869, 867
- Jurisdiction of the Court under sec. 72, 30
- Bankruptcy Proxies, 9
- Barristers' Fees and Barristers' Duties, 695, 716, 735

Correspondence (continued)—

Bastardy Law Amendment Act, 1872, 865, 926
Bills and Notes under £1, 368, 502
Bills of Sale, 328
Certificate Duty, 447, 464
Chancery (Court of), Funds, Bill, 735
Commerce, Tribunals of, 251
Commissionerships, 503
Contract—Wrongful Sale, 269
Conveyance—Power of Attorney, 201
Co-operation among Solicitors, 938
Counsel, the Powers of, 576
County Courts, The, 538
— Cases sent to, 447
County Court Judges, 503, 519
Covenant not to Build, 937
Creditor and Debtor, Justice for, 122
Damages, International Law of, 447, 592
Debtor, Justice for the, 86, 106, 122, 269
Disclaimer of Cases in Bankruptcy, 636, 663
Douglas v. Douglas, Same v. Webster, 123
Elmer's Practice in Lunacy, 308
Examinations and Honours, 820
Fees to Perpetual Commissioners, 8, 30, 49
Geneva Arbitration, 819
George, Mr. Justice, the Late, 184
Insanity, Proposal for a Medico-Legal Conference on, 652, 677
International Law of Damages, 447, 592
Irish Church Commissioners, 106
Judgment Summons, 218, 234
Judicature Commission, 865
Landlords' Remedies, 754
Legal Education, 268, 308
Legal Education Association, 308, 346
Lely and Foulkes on the Licensing Act, 892
Licensing Act, 867, 936
Life Assurance, 557
Liquidation by Arrangement—Commencement of Trustee's Title, 659
Lords of Manors and the Statute of Limitation, 694
Malins' Act and the Wills Act, 936
Married Women's Property Act, 791
"Mendacious Transfers," 176, 201
Newspaper Reports, 716
Overseer's Grievance, 893
School of Law, 268
Small Debts in County Courts, 426
Solicitors' Certificate Duty, 427
Stafford v. Gardiner, 368
Tradesmen, Justice for the, 70, 86, 106, 122, 269
Transfers of Railway Stock, 161

Costs. See Taxation

Costs, Security for, by Plaintiffs without the Jurisdiction, 166
County Courts—

A Voice from the County Court, 415
Dispute between a Judge and a Reporter, 110
County Court Changes, 788, 810
County Court Judges, Scale of Travelling Expenses, 705, 719, 727
Mr. Daniel's Letter, 745
Proceedings in County Courts, 7, 27, 47, 105, 121, 182, 216, 265, 267, 307, 344, 367, 400, 536, 575, 610, 635, 676, 691, 715, 754, 880, 935

Court Papers—

Bankruptcy, 15, 247, 508
Central Criminal Court, 35
Chancery, 14, 93, 108, 170, 205, 271, 373, 389, 470, 523, 541, 596, 644, 778

Circuits—

Winter, 35, 55
Spring, 221, 257,
— Surrey Spring Assizes, 374
Summer, 581, 618

Common Pleas, 170, 389, 542
County Courts, 754
Exchequer, 93, 170, 390, 542
Exchequer Chamber, 35, 221
Judges' Chambers, 356
Statutory Declarations—Mansion House, 372
Privy Council, 186, 240
Probate and Divorce, 16
Queen's Bench, 72, 170, 240, 389, 542, 596
Registration Appeals, 35

Courts of Commerce, 203, 218, 227, 246, 251

Courts of Law, New, 768

— Ventilation of, 905

Criminal Prosecution Expenses, The Treasury and, 175, 187, 193, 221, 234, 245

Current Topics—

About, M., Arrest of, 874, 897
Accountants, Society of, 380
Administration Suit, 193
Advertising Lawyers, 234, 426, 478, 488
Alabama Claims and Arbitration, 2, 175, 176, 261, 447, 523, 585, 618, 651, 766
— "Indirect Claims," 245, 300, 513
— Award, 858
— Sir A. E. Cockburn's Opinion, 873, 885, 910
— Lord Redesdale's Letter, 897
Albert Life Assurance Company Arbitration, 98, 361
— First Award, 667
— Authority of the Decisions under, 439, 458
— *Hawtrey's Case*, 707
— Letter from an "Actuary," 705
Alienation, Restraints on, 225
American Women Married Abroad, Disabilities of, the Hon. W. B. Lawrence on, 547
Ballot Bill, 361, 440, 448, 496, 567, 668, 707
— Lords' Amendments, 623
— Polling-places, 797
— First Municipal Election under the Act, 727
Bank Notes, Crossing of, 585, 605, 624
Bankruptcy—Double Proof—Liquidation under the Companies Act, 1862; 59
— Fraudulent Conveyance—Act of Bankruptcy, 335
— Liquidation—Payment by Instalments, 726
— Privilege of Parliament, 567
— Production of Marriage Settlement, 78
— Promise to pay Debt barred by Bankruptcy, 77
Bankruptcy Act, 1869, s. 37, 98
— s. 87—Execution for sum Exceeding £50, 747
— s. 125, 568
— ss. 125, 126—Form of Proxy—Treasury Order, 247
— Execution Creditors, 335
Bankruptcy, the Court of—"Solicitor's Offices" 185
Bastardy Act, the New, 842, 926
Beales, Mr., Appointment of, 279, 300
Bernard, Dr. Mont., Appointment of, to the Judicial Committee of the Privy Council, 77
Blaine, Mr., Death of, 115, 162
Borough Voters, Registration of, 363, 586
Breach of Promise, 280
Bread, Adulteration of, 212
Brewster Session—Licensing Act, §41, 866
Bristol Recordship, 813
Brokers, the Law of, 97, 280
Chancery, Court of, business in, 813
— Funds "in Court," 530
Chicago Conflagration—*The Chicago Legal News*, 1
"Chief Justice of England" or of the Queen's Bench, 300
Circuits, Work on, 361
Collier, Sir Robert, appointment of, to Privy Council
Judgeship, 1, 39, 60, 94, 97, 279, 289, 299, 304, 308, 311
— Protest of the Lord Chief Justice, 39. Letter of Mr. Justice Willes, 279
Company in Liquidation, Liability of B. contributories of, 1
Company, Limited, Shares in, 909
Confederate Loans—English Bondholders, 2
Contract Act, India, 926
Contributories, Class B. Contributions, 745
County Courts:—
Business in 1870, 279
Number of Plaints for less than 40s., 419
Appeals, 726
Fees in, 193
Manchester County Court, 362
County Court Extension Act, 1852, s. 19 (Advocacy Section) 136
Suppression of Circuit No. 56, 478
Judges of Welsh County Courts, 39, 362, 369
Transmission of case to County Court from Superior Court, 393

Current Topics (*continued*)—

- Davis, on County Courts, 814
 County Court Judges, Scale of Travelling Expenses, 705, 719, 727
 — Treasury Scale of Travelling Expenses—Mr. Daniel's Letter, 745
 Judgment Summons—Informal Certificate, 925
 Court of Chancery Funds Bill, 420
 Cox, Mr. Homersham, 77, 362, 369
 Criminal Prosecutions, Costs of, Disallowance of, by the Treasury, 175, 187, 193, 221, 245
 Dawkins v Lord Rokeby, 279
 Deans and Canons Resignation Act, 843
 Debts of less than 40s., Actions for, 393, 402, 419, 427
 Distress, Uncertainty of the Law of, 825
 Drunkards, Habitual, 651
 Edmunds, Mr., Case of, 211
 Edmunds, Miss, Case of, 220
 Election Expenses, 361
 Entail, The Law of, 440, 449
 Epping Forest—Right of Common of Pasture, 60
 Erie Ring, New York, Break-up of, 419
 European Assurance Society Arbitration Bill, 361, 393, 440, 478, 746, 910
 — Arbitration, 925
 Evidence of Prisoner, 261
 Executors' Advertisements, 362
 Extradition, 765
 Extradition Treaties, 478
 Extradition Treaty with France—Case of Marg. Dix-blances, 457
 Extradition Treaty with Germany, 623
 Eyre's, Governor, Defence, Costs of, 685, 697
 Feme sole, Contract by Wife of Absconding Bankrupt as if she were, 22
 Forfeiture for Treason and Felony, 667
 Frost v Knight—Breach of Promise, 280
 Funds "in Court" in Chancery, 539
 Galway Election Petition, 603
 Game Laws Abolition Bill, 336
 German Criminal Code, 897
 Gilchrist v Herbert—Evidence of Existence of Lost Documents, 280
 Grand Juries, 685
 Grove, W. R., Q.C., Appointment of, to a Puisne Judgeship, 77
 Gunpowder Act, 1850, Decision under, 39
 Incorporated Law Society, Conversations at, 603
 Indian Evidence Bill, 22, 320, 651
 India—Contract Act, 925
 Imprisonment for Debt, 386, 624
 Inner Temple—Appointment of Instructors, 59
 Inns of Court Volunteers, 60, 116, 194, 766
 — Volunteer Ball, 553, 663
 — Member Entering the other Branch of the Profession, 925
 Insanity, Legal Tests of, On the Scientific value of, 652, 677
 Insurance Companies, Winding up of, 246
 Irish Church Temporalities Commission, 176
 Irish Church Act, Award under, 706
 Jamaica, Improvement of Law and Procedure in, 320, 747
 Jew, A.—Can He Hold the Office of Lord Chancellor, 477, 489, 513
 Joyce v Rawlins—Purchase for Value Without Notice, 245
 Judgment Summonses in County Courts, 529
 Judicature Commission, Second Report of, 785
 Judicature Reform, 747
 Judicial Statistics, 992
 Juries Bill, 529, 541, 567, 603, 706
 Jury, Trial by, 156
 Jury Law, 857
 — Mr. Burchell's Letter on, 604
 Justices Clerks (Salaries) Bill, 361
 Kelly, The Trial of, 23, 39
 — Punishment of Mr. Pigott for Contempt, 40
 Land Transfer Commission, 225
 Law Officers of the Crown, Position and Emoluments of, 189, 513, 651
 — Treasury Minute, 413
 "Law Reports," The, 58
 Lawrance, Hon. W. B., on the "Indirect Claims," 513

Current Topics (*continued*)—

- On the Disabilities of American Women Married Abroad, 547
 Lectionary, the New, 156
 Leeds Cause List, 825, 836
 Legal Waste, 135, 150
 Levies, Unproduced, Liability of Attorneys to Sheriff's Officers for Fees upon, 93
 Licensing Act—Brewster Sessions, 841, 866
 Limitation of Credit Bill, 393, 402, 419, 427
 Liquidation of Company, 281
 Llynvi Coal and Iron Company, *Ex parte*; *Re Hida*, 60
 Lodgers' Goods Protection Act, Case under, 115, 135
 Lord Chancellor, Patronage of, 299
 "— The Dual Functions of," 362
 Magistrates' Clerks, Payment of, by Salary, 204, 319, 379
 Manchester County Court, 362
 Married Women and Municipal Franchise, 226
 Married Women's Property, 394
 — Canadian Act, 668
 Middlesex Registry, 686
 Mollett v Robinson, 280
 Money Lenders and Minors, 457
 Mormonism, The United States and, 40, 882
 Municipal Funds, Application of, 419
 Murder, Defence of Insanity in Cases of, 211, 226
 Mylne v Mylne and Fowler, 225
 "Next Friend" Indemnification of, 548
 "Notice by Post," 567
 Oriental Commercial Bank *Re*; Claim of the European Bank, 59
 Overend, Gurney & Co., 21
 Parks Regulation Bill, 336
 Parliament, Business in, 279
 Parliamentary Petitions, 727
 Parliamentary Purity, 898
 Patent Laws, Select Committee on, 547
 Peck v Gurney, 21
 Privy Council Judges, New, 1, 21, 60, 94, 97, 279, 289, 299, 304
 Protest of the Lord Chief Justice, 39
 — Letter of Mr. Justice Willes, 279
 Production of Documents—Privilege, 685
 Prosser v Bank of England—Proof of Death of Stockholder, 299, 303
 Public Prosecutors Bill, 319
 Quain, Mr. Justice, 155, 176
 Quarter Sessions, Courts of—Equitable and other Jurisdictions of County Courts, 420
 Queen's Advocate, Office of, 420
 Queen's Counsel, New, 194, 225, 247
 — Refusal of an Application for Silk, 874
 Recordors—Ought they to Practice, 841
 Registration of Voters, 909
 Remoteness, Rule Against, 155
 Representation, Proportional, Bill, 686
 "Review of Justices' Decisions Act, 1872," 623
 Revising Barristers Bill, 765
 Ritualism—Judgment against Dr. Maturin, 854, 857
 Royal Marines, Open Air Preaching by, 785
 Sculthorpe v Tipper, 156
 Shares, Transferee of, Liability of, to Transferor, 624
 Shedden v Patrick, 21
 Sheriff's Officers, Right of, to Sue Attorneys for Costs of Abortive Levy, 299
 Slander—*Dawkins v Lord Rokeby*, 279
 Slave Trade in the Pacific, 336
 Speaker of the House of Commons, The Office of, 155, 177
 Special Tribunals, 227, 246, 241
 Specific Performance of Promise before Marriage, 604
 Statutory Declarations, 361, 372
 — The Attorney-General on, 380
 Statute of Limitations—Bar of Claim of Creditor of Company in Liquidation, 623
 Stock Exchange Cases, 745
 Summary Jurisdiction, Courts of, 705
 Supreme Court of Appeal, 495, 725
 Taxing Master of the Court of Chancery, 1
 Thanksgiving Day, 320
 Tichborne Case, 59, 135, 150, 156, 175, 211, 261, 319, 325, 335, 439, 447, 478, 718, 791, 916
 — Admission of the Claimant to Bail, 477

Current Topics (*continued*)—

- Tichborne v Mostyn*, 495
- Tort Feasor, Joint, Judgment against, without Satisfaction, 814
- Trevelyan, Mr., and Legal "Jobbery," 211, 220
- Tribunals of Commerce, 2, 227, 246, 251
- Trustee Relief Act, Transfer of Fund into Court under—
Costs of Petition, 585
- Trustee, Office of, 156
- Twiss, The, Case, 361, 390, 391
- "Undue Influence"—Corrupt Practices Act, 725
- United States—Acquittal of Stokes, 707, 734, 780
- Presidential Election, 797
- University Boat Race—Legal Oarsmen, 379, 394
- Wainright v Jones*, 193
- Waste, Legal, 135, 150
- Watson, Rev. Selby, Case of, 226
- Welsh County Court Judges and the Welsh Language, 39, 362, 369
- Willes, Mr. Justice, Suicide of, 885, 893
- Windings-up, Simplification of, 496
- Women, Discription of, in Written Contract, 842

D.

- DANIEL, W. T. S., Q.C., Remarks on Mr. Bass's Bill on Actions for Small Debts, 393, 402
- on Abolition of Imprisonment for Debt, 536
- on Tribunals of Commerce, 227, 246, 251
- on County Court Jurisdiction, 219
- on the Conduct of County Court Business, 809
- Letter on the Treasury Scale of Travelling Expenses for County Court Judges, 745
- Dartford Petty Sessions, Proceedings, 184
- Debts of less than 40s., Actions for, 393, 402
- Dickinson, J., Q.C., 553
- Digest of Law Commission—Award in Mr. Macleod's Claim, 73
- Divorce Court. See Probate and Divorce Courts.

E.

- ELECTION JUDGES, New, 36
- Epping Forest, 489
- Equity, Roman Origin of, by N. Thomson, 720, 920
- Equity and Law Life Assurance Society, 388
- Estate Exchange Reports, 208, 294, 314, 375, 415, 490, 508, 543, 563, 582, 598, 619, 679, 700, 721, 761
- European Assurance Society Arbitration, 382, 430, 699
- Evidence, Code of the Law of, by Mr. Justice Lawson, 226, 238, 379

F.

- FIELD, D.D., An International Code, 741
- France, Law of Bankruptcy in, 240
- Shareholders in, 415
- Usage of Brokers, 414
- Prolonging of Bills in, During the War, 433
- Status of Priests in, 679
- Franchise of Peers, 922
- Funds, Railway Stock, and Indian Government Securities, 17, 36, 55, 72, 93, 110, 130, 151, 170, 188, 207, 221, 240, 257, 274, 293, 314, 331, 357, 474, 390, 414, 432, 452, 472, 490, 508, 523, 542, 562, 582, 597, 618, 647, 663, 679, 699, 721, 741, 760, 781, 792, 810, 821, 837, 854, 870, 881, 904, 922, 939

G.

GAS REFEREES, 562

- Gazettes, London, 18, 36, 56, 74, 94, 111, 130, 152, 171, 189, 208, 222, 241, 258, 275, 294, 315, 332, 358, 375, 391, 416, 433, 453, 473, 491, 508, 524, 543, 564, 583, 598, 619, 647, 664, 680, 700, 721, 742, 763, 782, 793, 810, 821, 838, 854, 870, 882, 894, 905, 922, 940
- Gill, J. H. E., The Law of Bankruptcy, 80
- Grove, Mr. Justice, at Swansea, 374

H.

- HATHERLEY, LORD CHANCELLOR, 778
- Highway Statistics, 742
- House of Lords, Recent Decisions in—
Contributories, Class B. (*Re Blakely Ordnance Co., Helbert's Case*, H. L. 20 W. R. 63); 101
- Landlord and Tenant—Resumption of Land Demised (*Liddy v Kennedy*, 20 W. R. 150); 179
- Poor-rate—Rateability of Mines (*Morgan v Crawshaw*, 20 W. R. 554); 609

I.

- IMPRISONMENT FOR DEBT, Abolition of, 536
- Petition against, 597
- India, Grotesque Litigation in, 642
- Robbery of Records in, 818
- Incorporated Law Society:—
Examinations—
Final, 149, 312, 596, 777
- Names of Gentlemen who Passed Final Examination, 169, 330, 522, 662
- Admission of Solicitors, 235
- Conversazione at, 603
- Incorporated Law Society of Liverpool, 31, 330
- Inner Temple—
Appointment of "Tutors," 161
- Inns of Court—
General Examination, 34
- Michaelmas Term, 1871, Hindu and Mohammedan Law, 55
- Hilary Educational Term, 1872, 185
- Trinity Educational Term, 1872, 411
- Examination on Subjects of Lectures and Classes, 413
- Examination, T. T., 1872, 596
- July Examination, 719
- General Examination, M. T., 1872, 739
- Calls to the Bar, 72, 256, 507, 595
- Call of a Grandson of Tippoo Sultan, 579
- Legal Education, 263, 308, 346, 356
- Appointment of Instructors at Inner Temple, 59
- Rifle Volunteers, 60, 116, 194, 766
- Volunteers' Ball, 553, 663
- Lincoln's Inn, Extension of the Library, 838, 882
- New Chambers, 838, 882
- International Arbitration, Address by Count Sclopis, 698
- See also Alabama Claims.
- International Code, An, By D. D. Field, 741
- Ireland:—
Associated Law Clerks, 893
- Barry, Right Hon. C.R., Attorney General, Appointed Fourth Justice of Queen's Bench, 221
- Distress, Laws of—*Hobson v Kincaid*, 833
- Dowse, R., Q.C., S.G., Appointed Attorney-General, 221, 240
- Evidence, Specimen Code of the Law of, by Mr. Justice Lawson, 226, 238, 379
- Irish Church Act, Award under, 706
- Irish Solicitors and the King's Inns, 357
- Kelly, the Trial of, 23, 39
- Punishment of Mr. Pigott for Contempt, 40
- Land Reform, 431
- Palles, C., Q.C., LL.D., Appointed Solicitor-General, 256
- Phoenix Park Riots, 71
- Ritualistic Practices—Judgment against Dr. Maturin, 854, 857
- Solicitors' Benevolent Association, 270
- Waterford Quarter Sessions, Chairman of, 543

J.

- JERSEY JUDGES AND THEIR DINNERS, 188
- Johnson, G. J. Some Objections to the Proposed Scheme of Legal Education Considered, 124
- Judges, The Annual Dinner to, 658
- Judges Chambers, Proceedings, 6, 48, 233, 336, 437, 916, Judicature Commission, Resolutions of, 292
- Draft Report, 580
- Second Report, 802

Judicial Statistic, A Dip into a Blue Book, by C. T. Saunders, 162
Juridical Society, 55
Juries in Warwickshire, 699
Jurors, Special, 187
Justices' Clerks' Fees, 204, 319, 370, 379

K.

KING'S COLLEGE—Law Diploma, 835

L.

LANCASHIRE, Clerk of the Peace of, 869
Lancaster, Chancery Court of, Proceedings, 180
Land Transfer and Registration, a Paper by Mr. J. Waley, 225, 235
Law Amendment Society, 451, 483, 507
Law Association, 34, 127, 507, 580, 595, 678, 758
Law Life Assurance Society, 256, 291
Law Officers of the Crown, 189, 513, 520, 651, 660
— Treasury Minute, 413
Law Reform, The Attorney General on, 850
— A Procedure for, Mr. Fitzjames Stephens on, 643
Law Students' Societies' Congress, 557
Law Students' Debating Society, 14, 34, 55, 72, 92, 107, 127, 149, 203, 218, 235, 256, 292, 356, 372, 388, 411, 452, 470, 507, 522, 541, 580, 595, 642, 678
Law Union Fire and Life Insurance Company, 386
Law Writers' Provident Institution, 738
Lawson, Mr. Justice. 'Code of the Law of Evidence, 226, 238

Leading Articles:—

Accounts with Rests against Mortgagee in Possession, 569
Agents Liable as *Del Credere* Agents and by Custom, 136, 158
Appeal, Supreme Court of, Bill, 458, 478
Assignment of Freight and Shipping Mortgages, 875
Assizes, The Summer, 823, 844
Ballot Act, Polling Districts under, 786
Bennett Judgment, Legal Aspects of, 605
Bequests to Parents and Children, 195
Bills in Parliament, 283
Bills of Sale, 281, 302
Cause of Action, What is, 653
Chancery, Court of, Business of, 846
Charter-party, Conditions in, that Charterer's Liabilities shall Cease, 568
Companies Act, 1862, Cases under Section, 115, 586
Construction, Difference of, in Deeds and Wills, 480
Contracts, Conditions in, Excusing Non-performance, 422
Contribution among Co-sureties, 766
Costs in Chancery, 653
Compensation, when may Public Company make an Offer of, so as to escape Costs, 898
Criminal Malice, 440
Cumulative Legacies, 116
Damages for Breach during the Term of Covenants to Repair, 767, 787
Deeds Void and Voidable, 321, 338
Deposit of Title Deeds, 669
Destination of Fund Ineffectually Appointed, 262
Deterioration of Purchased Property between the Contract of Sale and Completion of Purchase, 394
Disclaimer of Cases in Bankruptcy, 606, 636
Distress, Wrongful and Excessive, 396
Due Diligence in International affairs, 687
Eastern Bill of Lading, 747
Entails, Protected, in reference to the Statute of Limitations, 549
Estates *pur autre vie*, 420
Evidence, Proposal for Codifying the Law of, 226
Evidence, Law of, as to Foreign Transactions, 859
Execution against the Goods of a Trader, 194
Executor *De Son Tort* and his Representatives, Liability of, 498
Felony, Civil Action in Persons of, 708
Friendly and other Societies, and their Exemption from Taxation, 3

Leading Articles (continued)—

General Line of Buildings, 929
Gifts to Children as a Class, 212
Gifts to Classes of Persons, 515, 530
Gifts for the Repair of Tombs, 548
Goods sold—at whose Risk? 749
Implication of Estates in Realty and Personality, Analogy of Rules for, 625
Inhabitants' Right of Common, 23
Inspection of Documents at Common Law, 927
Joint Stock Company, Form of the Debentures of, 496
Judicature Commission, 281
Judicature Report, The Second, 798
Judicial Statistics. Bankruptcy, 709
Jurymen, Grievances of, 300
Kelly, The Trial of, 23, 39
Legal Education, Prospects of, 337
"Legal Representatives," Who are? 213
Legislation of the Year, 817, 830, 846, 861, 876, 889, 901, 912, 931
Lights, Ancient, Observations on the Law and Practice as to Obstructions of, 826
Malins' Act and the Married Woman's Property Act, 1870, 583
Mendacious Transfer-deeds, 176, 201
Mines and Minerals, 670, 727
Mining Stipulations, 729
Name, Changes of, 16
Naturalization Act, 1870, An Unexpected Result of, 727
Negligence, Damages for Injuries Caused by, 78
Neighbour, My Duty Towards my, 886
Nuisance, Coming to, 459
Parental Influence, Undue, 625
Parliament, Bills in, 283
Partnership and Companies, Law of, in France, 229, 247
Prison Congress, International, 686
Recorders, Ought they to Practise? 815, 841
Registration of Borough Voters, 363
Remanets, 320
Remoteness, Points on the Rule against Remoteness—
1. Personality Settled with Reference to the Possession of Real Estate, 79
2. In Relation to Powers, 99
3. Gifts to Classes, 117
4. Gifts to Classes—Some General Points, 137
"Repudiation" of Shares, What is? 365
Secret Preparations, Rights Attaching to, 441
Settlements of Land, Powers of Management in, 42, 62
Soil of Highway, Ownership of, 514
Solicitors' Retainers, 800, 816, 829, 843
Speaker of the House of Commons, 155, 177
Special Tribunals, 227, 246, 251
Supreme Court of Appeal, Proposed, 458, 478
Tribunals of Commerce, 41, 227
Vendors, Rights of, after Sale of Business, 322
Viceroy's, Immunity of, 263
Voluntary Gifts. Some Recent Decisions under 13 Eliz. c. 5: 888
Warranty, Exhibition of Plan no Warranty, 858
Wills, Cases of, 1870-71: 157
Leeds Assizes, The Lesson of, 825, 836
Legal Education, 59, 127, 167, 268, 308, 346, 356
Legal Education Association, 90, 256, 291, 313, 329
— Proposed Scheme of, Some Objections to Considered, by G. J. Johnson, 124
Licensing Act, 916
Life Boat, Lawyers', Services of, 162
Life Insurance, Valuation of Running Policies, by C. J. Bunyon, 251
Lincoln's Inn—Extension of the Library, 838, 882
— New Chambers, 838, 882
Liverpool Law Students' Society, 34, 72, 107, 149, 185, 235, 356, 904
London, City of, Court, 17, 430, 892, 902, 916
London, Recordship and Common Serjeantcy of, 490
London and Provincial Law Assurance Society, 507
Lord Chancellor, The New, 921
Lowndes, R. B., Is the System at Present Adopted in Taxations of Costs Between Party and Party a Wise or Just One? 89

M.

M'TAGGART, F. E., Farewell Dinner to, at Northampton, 234
Manchester County Court Judgeship, 356
Manchester Incorporated Law Association, 353, 522, 468
Mayors' Court, Business in, 17, 430, 892, 902
Magara Commission, 73
Metropolitan and Provincial Law Association, 9, 468, 639
The Law of Bankruptcy, by J. H. E. Gill, 50
Is the System at Present Adopted in Taxations of Costs Between Party and Party a Wise or Just one? by R. B. Lowndes, 89
Some Objections to the Proposed Scheme of Legal Education Considered, by G. J. Johnson, 124
A Dip into a Blue Book, by C. T. Saunders, 162
Petition Against the Court of Chancery Funds Bill, 409
Middlesex Sessions, Proceedings, 425
Money Market and City Intelligence, in Each Week
Mormonism, 40, 882

N.

NORMAN, CHIEF JUSTICE, The Late, 390; Monument to, 36
Nottingham Quarter Sessions, Proceedings, 326

O.

OBITUARY:—

Adams, E. R. 737; Aplin, W. 372; Atkinson, H. 719; Atkinson, J. G. 758; Baggallay, R. 718; Barker, H. J. 557; Barrington, Sir W. H. Bart. 742; Bayley, Sir J. E. G. Bart. 161; Bevan, C. D. 662; Blagden, R. 678; Blaine, D. R. 115, 162; Bland, L. H., Q.C. 234; Blenkinsop, 836; Bloxam, H. 792; Barton, J. H. 235; Bonsfield, W. C. 618; Brett, W. G. 107; Buckland, C. E. 881; Byles, Lady, 710; Camden, Marq. 542; Cargill, J. F. 185; Clowes, J. E. 234; Colling, F. 9; Cufaude, J. L. 256; Daniel, E. 737; Day, G. 850; Dibb, J. E. 881; Dinsdale, F. 697; Dobson, W. F. 697; Dugmore, W. Q.C. 678; Ellenborough, Earl of, 169; Evans, H. R. 9; Evans, W. D. 312; Fitzgerald, C. 557; Freeman, D. A. 489; Geddes, T. 595; George, Rt. Hon. J. 148; Gifford, Hon. E. S. 579; Gifford, Lord, 542; Goodman, H. 614; Gray, W. 678; Greaves, E. L. 579; Greene, T. 792; Greenwood, T. 31; Gunner, C. J. 678; Hall, S. 737; Hammer, W. 820; Hargreaves, H. 271; Harrison, A. 738; Harver, T. H. 541; Hasell, E. W. 464; Haymes, A. 613; Heath, T. 409; Hill, H. 810; Hill, M. D., Q.C. 590, 613; Holroyd, G. C. 102; Hughes, Mr. Baron, 737; Hunt, W. 938; Kelsall, T. F. 850; Kendall, C. 893; Lambert, Sir H. E. F. Bart., 639; Langdale, Lady, 850; Lawson, G. 353; Lloyd, W. H. 87; Lowe, R. G. 687; Lowry, T. K. Q.C. 777; McTaggart, F. E. 386; Maddock, C. 71; Malcolm, J. G. 451; Marshall, W. 557; Mesnard, C. L. 579; Middleton, J. 162; Mills, J. H. 836; Morris, L. E. W. 718; Myers, J. P. 50; Palmer, N. 430; Park, A. A. 71; Payne, G. A. 107; Payne, M. Serjt., 331; Philbrick, E. 557; Pilbeam, E. 347; Powell, J. 124; Powell, J. R. 719; Reed, E. H. 255; Richards, Rt. Hon. J. 820; Roberts, W. H. 697; Robinson, J. S. 386; Robotham, W. 9; Rogers, J. 579; Ruddock, J. 904; Rutherford, G. 758; Saunders, C. 452; Selby, P. 451; Smallpiece, W. H. 451; Stansfield, J. 255; Stedman, R. F. 758; Stevenson, W. 761; Stone, W. 893; Teed, J. G. Q.C. 17; Tepper, J. 148; Tinney, W. H., Q.C. 107; Todd, J. H. 557; Trevor, T. T. 820; Vernon, Hon. G. C. 218; Wagstaffe, W. G. 185; Walker, Isaac, 738; Welford, R. 718; Welford, R. G. 850; Weston, R. 255; White, R. 662; Willes, Rt. Hon. Sir J. S. 893, 902; Williams, G. H. 148; Winterbotham, L. 185; Wrottesley, Hon. W. 522; Young, A. 489.

P.

PARLIAMENT, BUSINESS IN, 792
Parliamentary Representation, 459
— Act of Uniformity Amendment, 577
Alabama Claims, 269, 289, 406, 593

Parliament (continued)—

Albert and European Companies Bill, 370
Appellate Jurisdiction, 384, 405, 464
Ballot, 270, 329, 371, 408, 448, 450, 467, 488, 439, 506, 522, 539, 577, 612, 637, 660, 677, 717
Burial Grounds, 289, 311
Chancery Funds 539, 677
Church Seats, 519
Collier's, Sir Robert, Appointment, 289, 308, 311
Colonies, 593
Contagious Diseases, 290
Conventual and Monastic Institutions, 488
Corrupt Practices at Municipal Elections, 736
County Courts (Small Debts), 638, 736
County Court Judges, Travelling Expenses of, 757
Court of Chancery Funds Bill, 427
Criminal Law Amendment, 718
Criminal Prosecutions, Costs of, 309, 385
Ecclesiastical Commissioners' Trusts, 488
Ecclesiastical Courts and registries, Ecclesiastical Procedure, 308, 329, 368, 384, 405
Elementary Education, 488
Enclosure Law Amendment, 735
Entail, Law of, 449
Epping Forest, 519
Ex-Lord Chancellors, Position of, 408, 440, 443
Extradition Treaties, 773
Eyre's, Governor, Expenses, 697
Fires Bill, 370
Galway Election, 736, 737, 774
Game Laws, 312
International Copyright, 717
International Society, 466
Judicature Commission, 576
Judicial Organisation, 755
Juries Bill, 529, 541, 593
Jurymen's Grievances, 309
Justices of the Peace Qualification, 417
Justices' Clerks (Salaries), 370
Land Owners in the United Kingdom, 309
Law Officers of the Crown, 513, 520, 660
Legal Education, 348
Licensing Bill, 546, 538, 612, 754, 757, 773, 774
Marriage Laws, 383
Middlesex Registry, 594, 637
Municipal Corporations (Borough Funds), 773
Parish Registers, 384
Parliamentary and Municipal Elections. See Ballot
Pawnbrokers, 773
Private Bill Legislation, 384, 407, 408
Privilege—A Speaker's List, 329
Privy Council, Registrar of the, 593
Proceedings, 269, 270, 290, 308, 329, 348, 368, 383, 405, 427, 447, 466, 488, 506, 519, 577, 593, 612, 637, 660, 677, 696, 717, 754
Public Business, Dispatch of, 270
Public Prosecutor, 310
Registration of Borough Voters, 594
Religious Disabilities Repeal, 489, 531
Royal Parks and Gardens, 290, 312, 329, 406, 468
Speaker, the Resignation of, 270
Statutory Declarations, 384, 385
Supreme Court of Appeal, 503, 520
Tichborne Case, 447, 718, 791
Transfer of Land, 310
Turnpike Trusts, 385
Washington, Treaty of, 269, 289, 406, 593
Welsh County Court Judges, 362, 369
Women's Disabilities Removal, 506
Passengers' Luggage, 836
Police Court, Proceedings in, 169, 233
Pontefract County Court, Detachment of, 17
Pregnancy, Plea of, 386
Prison Congress. Entertainment of American Judges by the Lord Chancellor, 688
Privy Council Judges, The New, 21, 34, 39, 60, 94, 97, 279, 289, 299, 304, 308, 311
— Recent Decisions in:—
Bottomry Bond—Ships agent—Presentment of Bill of Exchange on Death of Drawee (*The Staffordshire*, 20 W. R. 557); 551
Compensation (*Jones v Stanstead &c. Railway Co.* 20 W. R. 417); 461

Privy Council, Recent Decisions in (continued)—

- Foreign Judgment (*Messina v Petrocchino*, P.C. 20 W. R. 457); 500
 Forfeiture for Piracy (*The Telegrafo*, 20 W. R. 242, 562
 Maritime Lien—Necessaries (*The Two Ellens*, 20 W. R. 592); 627
 Probate, Divorce, and Admiralty Courts, Recent Decisions in—
 Domicile—Evidence of Intention (*Wilson v. Wilson*, Div. 20 W. R. 891); 891
 Double Administration—Chose in Action of Deceased Wife (*In the goods of Mary Anne Harding*, 20 W. R. 614); 656
 Marriage—Invalidity—Bigamy (*Greaves v. Greaves*, Div. 20 W. R. 802); 769
 Shipping—Master's Lien for Wages (*The Jenny Lind*, Adm. 20 W. R. 895); 891
 Unborn Children (*The George*, Adm. 20 W. R. 245); 265
 Will in Exercise of a Power (*In the Goods of Elizabeth Graham*, 20 W. R. 604); 628
 Will—Parol Evidence (*Charter v. Charter*, Prob. 19 W. R. 979, 20 W. R. 212, 216
 Public Companies, 17, 35, 55, 72, 93, 110, 130, 151, 770, 188, 207, 221, 240, 257, 274, 293, 314, 331, 357, 374, 390, 414, 432, 452, 472, 490, 508, 523, 542, 562, 582, 597, 618, 647, 663, 679, 699, 721, 741, 760, 781, 792, 810, 821, 837, 853, 870, 881, 893, 904, 922, 939

Q.

- QUEENS ADVOCATE, The Appointment and Office of 391, 563
 Queen's Bench, Court of, Proceedings in, 287, 485, 633
 Queen's Counsel, New, 194, 225, 247

R.

- RACHEL, MADAME, 483
 Railway Managers, Personal Responsibility of, 452
 Record Office, Vandalism in, 235
 Reviews:—
 Albert Arbitration, Lord Cairns' Decisions, part I., 935
 American Law Review, Oct. 1871, 84
 — April, 1872, 534
 Barry, W. W. Forms and Precedents in Conveyancing, 833
 Bell, Major Evans. The Bengal Reversion, 501
 Brandt, F. Games, Gaming and Gamester's Law, 287
 Brown, A. The Rule of the Law of Fixtures, 120
 Browning, Ernest. The Laws of Marriage and Divorce, 689
 Butt, Isaac. Treatise on the New Law or Compensation to Tenants in Ireland, 628
 City of London Directory for 1872, 265
 Cowell, H. Lectures on Hindu Law, 1871, 287
 Copingier, W. A. Index to Precedents in Conveyancing, and to Common and Commercial Forms, 232
 Cox (Homersham). The Law and Science of Ancient Lights, 26
 Creasy, Sir Edward. Imperial and Colonial Constitutions of the Britannic Empire, including Indian Institutions, 819
 Davis, J. E. The County Court Jurisdiction, Practice in Equity, in Admiralty, &c., 864
 Dewey, R. C. Manual of the Law relating to Divorce and Matrimonial Causes, 286
 Elmer, J. Practice in Lunacy, 5 ed., 141, 308
 Fry, Danby P. Law relating to Vaccination, 657
 Gilmour, John. Commercial Guide in Bankruptcy, 657
 Glen, W. C. The Laws relating to Public Health and Local Government, 6 ed. 233
 Glenn, R. G. Manual of the Laws affecting Medical Men, 83
 Goodeve, Jos. The Law of Evidence as Administered in England and applied to India, Calcutta, 1871, 398
 Green, Rev. T. L., D.D. Indulgences, Sacramental Absolutions, and The Tax Tables of the Roman Chancery and Penitentiary, Considered in reply to the Charge of Venality, 501
 Heales A. History and Law of Church Seats or Pews, 589
 Hunt, A. J. The Law of Fraudulent Conveyances, 609

Reviews (continued)—

- Joyce, W. The Law and Practice of Injunctions, 629
 Kain's Solicitors' Bookkeeping, 9 ed. 935
 Langdell, C. C. Selection of Cases on the Law of Contracts; Boston, 249
 Law Magazine and Law Review, Nov., 1871, 83
 —, N. S. No. 1; 341, No. 2, 382
 Lecky, W. E. H. The Leaders of Public Opinion in Ireland, 444
 Lely, R. M., and W. D. J. Foulkes. The Licensing Acts, 1829, 1869, and 1872, 849, 892
 Lewis, A. J. Code of Indian Civil Procedure, 287
 McCarthy, J. G. Plea for the Home Government of Ireland, 770
 Markby, W. Elements of Law Considered with Reference to General Jurisprudence, 304
 Michael, W. H., and J. S. Will. The Law of Gas and Water Supply, 341
 Morris, H. Discourse upon Dilapidations, Ecclesiastical and General, 103
 Oke, G. C. The Magisterial Synopsis, 11 ed., 731
 Owen, Hugh. Elementary Education Act, 1870, 590
 Phillimore (Sir Rob. D. C. L.) Commentaries upon International Law, 2ed Vol. 2, 6
 Post Office London Directory, 1872, 141
 Pulbrook, A. The Companies' Acts, 1862, 67, 3ed, 672
 Redman, J. H. Concise Treatise on the Law of Arbitrations and Awards, 398
 Romilly, Sir Samuel. Notes of Cases Extracted from the M.S.S. of, with Notes by E. Romilly, 656
 Sadler, H., Ph. D. Edwin Wilkins Field, a Memorial Sketch, 501
 Saunders, T. W. Precedents of Indictments, 609
 Seaborne (Henry). Concise Manual of the Law relating to Vendors and Purchasers of Real Property, 45
 Smith, Rev. J. N. Observations respecting Eastertide, 398
 Snaell, E. H. T. Principles of Equity, 2ed, 672
 Social Science Association, Transactions for 1871, 483
 Sprague, J. B. Life Insurance in 1872, 752
 Statutes, The Revised Edition, Vol. 3, 1770—1800, 534
 Torrens, W. M., M.P. Empire in Asia. How we came by it. A Book of Confessions, 533
 Warden, A. J., Burgh Laws of Dundee, 590
 Wetherfield, G. M. Manual of the Practice of the Mayor's Court, 501
 Wetherfield, G. M. Notes in Liquidations and Compositions under the Bankruptcy Act, 1869, 657
 Rose, Mr. Philip, Retirement of, 904

S.

- ST. LEONARD'S, LORD, 294
 Saunders, C. T. A Dip into a Blue Book, 162
 Selborne, Lord Chancellor, 921
 Social Science Association, 87
 Solicitors' Benevolent Association, 14, 107, 185, 271, 356
 363, 452, 469, 507, 595, 614, 678 777, 920
 Special Jurors, 187
 Speeches, Long, 332
 Statutory Declarations. The Attorney-General on, 380, 384, 385
 — Regulations in Force at the Mansion House, 372
 Stephen, Mr. Fitzjames, on a Procedure for Law Reform, 643
 Stipendiary Magistrates in the Provinces, 616
 Switzerland, The Law's Delays in, 699

T.

- TAXATION OF COSTS BETWEEN PARTY AND PARTY.—Is the Present System adopted in, a wise or just one? By R. B. Lowndes, 89
 Teed, J. G., Q.C. Death of, 17
 Thompson, N. The Roman Origin of "Equity," 720, 920
 Tichborne Case, 59, 135, 150, 156, 175, 211, 261 319, 325, 335, 439, 447, 478, 718, 791, 916
 — Admission of the Claimant to Bail, 477
 — Tichborne v Mostyn, 497
 Trevelyan, G. O., M.P., on Law and Justice, 211, 220

Twiss, Sir Travers,, Q.C., D.C.L., 361; Resignation of Offices
by, 390, 391

U.

UNITED LAW CLERKS' SOCIETY, 616

United States:—

Action for Enticing away a Husband, 432
Advertising, Professional, 478
Alabama Claims, 2, 175, 176, 523; Indirect Losses, 245.
513, 523
American Bench, 151
Ballot, The, 184
Bankruptcy Law and Administration, 313
Barnard, Judge, Impeachment of, 596
Burke, Judge, of Charleston, anecdote of, 719
Chicago Legal News, 1, 26, 221, 478
Chicago Legal Matters in, 1, 17
Codification, 413
Copyright, International, 189
Drunkards, Habitual, 415
Erie Railway, 721
Erie Ring, The, Break up of, 419, 596
Free trade in Law, 168
Handcuffing Prisoners at the bar, 129
Insurance by Parol, 92
Iron Safes v. Brick Vaults, 26

United States (*continued*)—

Jury, Trial by, in Civil Actions, 128
Kent, Chancellor, 780
Law Books, 274
Legal Intelligence, 151, 188, 189, 304, 415, 428, 433, 577,
715, 761, 775, 793, 834, 867
Liquor Act for Illinois, 478
Long Vacation, 73
Marriage, Law in, 894
Mormonism, 40, 882
Pardoning Criminals, 313
Railway Accident, Compensation for, 428
Scolds, Common, 761
Stokes, Acquittal of, 707, 734, 780

W.

WALEY, J., Paper on Land Transfer and Registration, 235
Warwickshire juries, 699
Waste, Legal, 135, 150
Worcester, Town Clerkship of, 94

Y.

YORKSHIRE LAW SOCIETY, 409

NAMES OF CASES DISCUSSED IN THIS VOLUME.

House of Lords and Privy Council.

- Blakeley Ordnance Co., Re, Helbert's case, H.L. (Class B. contributories), 101
Daniel v Metropolitan Railway Co., H.L. (Negligence—Railway Company), 64
Jones v Stanstead &c. Railway Co., P.C. (Compensation), 461
Liddy v Kennedy, H.L. (Landlord and Tenant—Resumption of land devised), 179
Messina v Petruccchino, P.C. (Foreign judgment), 599
Morgan v Crawshaw, H.L. (Poor-rate—Rateability of mines), 609
"Stepfordshire," The, P.C. (Bottomry bond—Ship's agent—Presentation of Bill of Exchange on death of drawer), 551
"Telegrafo," The, P.C. (Forfeiture for piracy), 265
"Tentonia," The, P.C. (Forfeiture—Port to be named by charterer), 461
"Two Elens," The, P.C. (Maritime lien—Necessaries), 627

Chancery.

- Accidental Death Insurance Co., Re, Chappell's case, (Transfer of business a virtual dissolution of company), 499
Albert Average Association, Re, Blyth & Co's case (Stamps on policies of mutual marine assurance), 627
Attwell v Attwell (Proceeds of sale of land—Real or personal estate), 323
Baile v Baile (Solicitor—Charge on property "recovered or preserved"), 607
Bechie v Fenwick (Apportionment of costs), 730
Birmingham Co., Official Liquidator of, v Carter (Priority by virtue of prior stop order), 879
Bonelli's Telegraph Co., Re Collie's claim (Informal agreement by directors—Liability of the Company), 64
Browne v Hope (Legatee pre-deceasing Testator), 627
Bruton v St. George's, Hanover-square (Projection beyond general line of buildings—Metropolitan Buildings Act, 25 & 26 Vict. c. 102, s. 75), 215
Bubb v Yelverton (Legacies to executors), 324
Burgess v Eve (Guarantees under seal—How far revocable in Equity), 570
Calisher v Forbes (Charges on proceeds of Army Commission—Notice), 711
Chamberlayne v Brockett (Charity—Perpetuity), 863
Cockayne v Harrison (Consumable articles—Life interest in farming stock), 589
Contract Corporation, Re, Baker's case (Infant transferee—Reputation of shares), 231
Contract Corporation, Re, Gooch's case (Status of official liquidators as litigants), 460
Coombs v Brooks (Jurisdiction to remove bankrupt trustees—Bankruptcy Act, 1869, s. 117), 24
Cork (Earl of) v Sir W. Russell (Foreclosure suit—Judgment creditors), 712
Cornwall v Hawkins (Representation by infant that he is of age—Fraud), 671
Cousens v Cousens (Taxation—Costs of third Counsel), 118
Cowles v Gale (Practice—Transfer of public-house licenses), 139
Crook v Corporation of Salford (Corporation—Contract not under seal), 44
Cruikshank v Duffin (Mortgage by executor to building society), 915
De Witte v Palm (Maintenance—Contingent reversionary property), 749
Dixon v Enoch (Newspaper libel—Name of proprietor—Bill of discovery), 517
East of England Banking Co., Re; Pearson's case (Jurisdiction as to compromises with contributories), 656
Else v Else (Conditions on sales by the Court), 442
Evans's Trusts, Re (Practice—Trustee Relief Act—Costs of petition for dividends), 769
Farhall v Farhall (Executor—Power to pledge credit of testator's estate), 413
Farquhar v Hadden (Bequest of share of partnership property), 303
Fenwick v Begbie (Apportionment of costs), 730

- Ferrers (Earl) v Stafford and Uthorpe Railway Co. (Railway company—Vendor's costs of arbitration), 607
Forde v Foster (Trade Marks), 711
France v France (Partition Act, 1868—Sale at request of infant plaintiff), 397
General Rolling Stock Co., Re; Claim of Joint Stock Discount Co. (Winding-up—Proof of Debt—Statute of Limitations), 817
Giammetti v Prodders (Wife's equity to a settlement), 915
Gibbs v Grady (Settlement—Ultimate trust in default of issue inoperative), 445
Great Eastern Railway Co. v Turner (Railway Company—Purchase of shares in another Company—Secret trust—Order and disposition), 768
Great Oceanic Telegraph Co., Re; Harward's case (Directors' implied obligation to take the number of shares necessary for a qualification), 264
Harding v Metropolitan Railway Co. (Railway company—Compulsory powers—Vendor and purchaser), 671
Heinrich v Sutton (Statutory lien for costs, on property recovered or preserved—Jurisdiction), 25
Hiatt v Hillman (Mortgage leaseholds—Sale by mortgagee under Trustees' and Mortgagees' Act), 197
Hope, Re R., a solicitor (Solicitor—Attachment—Debtors Act, 1869, s. 4, sub-s. 4), 764
Jeston v Key (Marriage articles—Failure of performance by one of the parties), 64
Jones, H. B. Re (Solicitor—School Board—Taxation), 423
Jones v Ogle (Apportionment), 789
Kilt v Pearson (Nature of right to light and air), 139
Kemp v South Eastern Railway Co. (Lands required for purposes of undertaking—Engineer's certificate), 482
Kerrison's Trusts, Re (Voluntary settlement—Maintenance—Doctrine of Mundy v Earl Howe), 179
Kimber v Barber (Concealed owner—Secret benefit—Rescission of contract), 688
Kimberley v Dick (Building contract—Agreement to abide by architect's certificate), 43
Lancley Mills Steel and Iron Works Co., Re (Creditor's right to a winding-up order—Is it ex debito justitiae), 499
Locking v Parker (Trust for sale—Security for loan—Statute of Limitations, 3 & 4 Will. 4, c. 27, ss. 25, 28), 890
Mackett v Mackett (Will—Absolute interest—Maintenance of children), 915
Miller's Estate, Re (Presumption against having issue), 863
Moscow, City of, Gas Co. v International Financial Society (Practice—Security for costs—Cause and cross cause—Limited Company), 286
Murray v Clayton (Anticipation of patent—Antecedent discovery), 817
Ogilvie, Re (Railway Company—Separate undertaking), 397
Oriental Commercial Bank, Re; Morris's case (Class B contributories), 101
Parnham's Trusts (Bankruptcy—Forfeiture—Annulment), 469
Phillips v Mullings (Voluntary settlement—Power of revocation), 323
Phillippon v Gibbon (Statute of Limitation—What is possession—Costs), 44
Pike v Dickinson (Composition with creditors—Jurisdiction of Court of Chancery to re-open), 220
Powell v Smith (Mistake of law not a ground of equitable relief), 831
Pride v Bubb (Disposal of real estate by married woman), 750
Radford v Willis (Construction—Devise to unmarried woman for life, with remainder in fee to her husband), 339
Rollins v Hinks (Patent—Circular threatening proceedings for infringement—Damage to property), 381
Ross's Trusts, Re (Statute of Distributions, 22 & 23 Car. 2, c. 10, s. 6—Grandchildren, and great grandchildren), 397
Shaw's Trusts, Re (Trustees' power of leasing), 25
Shearman v The British Empire Mutual Life Assurance Society (Mistake of policy—Bankrupt Mortgagee—Lien), 832

- Sleeman v Wilson (Lapse of time—Acquiescence), 750
Smith v Adkins (Power—Instrument in writing—Will—Delivery—Publication), 879
Telford v Metropolitan Board of Works (Restraint on application to Parliament—Enclosure Commissioners), 532
Thorold's Trusts, Re (Leases and sales of Settled Estates Act, c. 120—Cash in court—Investment), 934
Torrance v Bolton (Purchase at auction—Mistake), 655
Trueman's Estate, Re; Hooke v Piper (Winding-up—Bill of costs of liquidator's solicitor), 769
Turner v Collins (Practice—Costs of unjustifiable litigation), 179
Underwood v Stewardson (Partition Act, 1863, ss. 4, 9—Decree for immediate sale), 698
Uppman v Elkan (Spurious trade-mark—Duties of consignee), 44
Wilford v Watson (Arbitration clause—Staying proceedings under Common Law Procedure Act, s. 11), 119

Common Law.

- Anderson v Pacific Fire and Marine Insurance Co. (Marine policy—Misrepresentation), 304
Atkinson v Newcastle and Gateshead Water Co. (Statutory duty—Action), 81
Bailey v Finch (Set-off in bankruptcy—Executor's account), 339
Bank of Ireland v Perry (Double insolvency), 340
Barnes v Ackroyd (Nuisance), 751
Bechervaise v Lewis (Principal and Surety), 801
Bendle v Watson (Registration), 533
Bradford v Williams (Charter-party—Condition precedent), 731
Brett v Watson (Slander—Privileged communication), 832
Brinsmead v Harrison (Judgment against joint tortfeasor without satisfaction), 818
British and American Telegraph Co. v Albion Bank (Banker and customer—Money had and received), 489
Britton v Great Western Cotton Co. (Master and servant—Negligence), 604
Brutton, Re (Attorney—Practice), 340
Brixton v Rust (Statute of Frauds—Memorandum of contract), 139
Calver v Roberts (Registration), 533
Castle v Playford (Sale of goods—Payment on delivery), 800
Caudwell v Hanson (Metropolitan Building Act, 1858—Surveyors' fees), 216
Chorlton v Overseers of Stratford (Registration), 552
Clough v London and North Western Railway Co. (Contract obtained by fraud—Rescission), 249
Coates v Collins (Covenant for title), 197
Cook v Montagu (Nuisance), 751
Cory v Paton (Marine policy—Concealment—Effect of signing slip), 443
Cull v Austin, Austin v Cull (Registration appeal—Borough vote—Period for which payment of rates is required), 818
Daniel v Metropolitan Railway Co. (Negligence—Railway Company), 64
Davis v Hedges (Contract—Option of relying on improper performance as defence to action for price of work, or of bringing cross action), 119
Davis v Solomon (Slander—Special damage), 286
De Gendre v Bogardus (Practice—Joinder of plaintiffs), 672
De Mattos v Saunders (Marine policy—Stranding), 832
Dennett v Atherton (Action on the covenant for quiet enjoyment), 551
Doyle v Hanks, C.C.R., Tr. (Case remitted to County Court), 890
Drummond v Sant (Statute of Limitations—Purchaser without conveyance), 82
Dunn v Birmingham Canal Co. (Compensation for mines), 571
Fenner v South Eastern Railway Co. (Inspection of documents—Costs), 770
Firth v Overseers of Widdicombe (Registration), 533
Ford v Boon (Registration), 533

Fowler v Hollis (Trove—Evidence of conversion), 790
 Fowler v Lock (Cab—Bailment for hire—Master and servant), 890
 Fraser v Telegraph Construction and Maintenance Co. (Shipping—"Steamship"), 801
 Frost v Knights (Breach of contract—Breach of promise of marriage), 509
 Great Western Railway Co. v Blower (Carriers of animals), 891
 Grimwood v Moss; see Varley v Coppard
 Hanson v Lancashire and Yorkshire Railway Co. (Negligence—Railway), 324
 Harris v Staramanga (Maritime policy—General average—Foreign adjustment), 790
 Harrison v Bank of Australasia (General average), 444
 Harrison v Garthorne (Charter-party—Outward and homeward voyage), 833
 Head v Tattersall (Right to return—Alteration in condition of thing), 130
 Hindle v Shepherd (Costs—Certificate of Judge), 120
 Holland v Hodgson (Fixtures), 934
 Holme v Hammond (Partnership liability—Partnership Act, 1865), 731
 Huckle v Piper (Registration), 552
 Hudson v Walker (Landlord and tenant—Proceedings in County Court), 532
 Jones et ux. v Outhbertson (Husband and wife—Separate use—Money had and received), 424
 Jones v Harris (Bill of sale—Sufficient description), 180
 Joselyn v Parsons (Covenant not to engage in trade—"Merchant"), 397
 Joyce v Kennard (Policy to protect carrier's risk), 303
 Kearney v London Brighton and South Coast Railway Co. (Negligence—Railway Company), 64
 Kendall v London and South Western Railway Co. (Carriers of animals), 891
 Limer Asphaltic Paving Co. v Commissioners of Inland Revenue (Stamp duty—Double duty), 656
 Liverpool Alkali Co. v Johnson (Common carrier), 672
 Llyed v Fleming (Assignment of marine policy), 340
 Lockwood v Jenkinson (Bankruptcy—Debtor's surplus estate—Revolving of debts), 231
 Marshall v Ulleswater Steam Navigation Co., Queen v Richmond, J.J.; Vestry of St. Mary, Newington v Jacobs (Highway—Highway Acts, 1834 and 1864), 264
 Mason v Shrewsbury and Hereford Railway Co. (Watercourse—Prescription), 81
 McCredy v Taylor (Husband and Wife—Necessaries), 324
 Mercer v Graves (Attorney's lien for costs), 628
 Moger v Escott (Registration), 552
 Mollett v Robinson (Broker—Custom of Market), 688
 Moult v Cole (Distance—Covenant not to carry on business), 398
 Moulv Garrett (Liability of ultimate assignee of lease to lessee), 461
 Mountstephen v Lakeman (Guarantee or primary liability), 100
 Newby v Van Offen and Colt's Patent Firearms Manufacturing Co. (Service of writ on foreign corporations), 424
 Noakes v Barlow (Partnership), 443
 Norris v Barnes (Nuisance), 751
 North British Mercantile Insurance Co. v Moffatt (Insurable interest—Fire Insurance), 140
 Notara v Henderson (Shipowner's duty as to goods damaged), 462
 Oppenheim v White Lion Hotel Co. (Innkeeper—Negligence of guest), 119
 Pappa v Rose (Arbitrator—Implied promise to use skill—Contract of broker), 120, 731
 Peru (Republic of) v Weguelin (Inspection of documents—Costs), 770

Phillips v Rowth (Practice—Interrogatories—Inspection), 712
 Plant v Fearman (Attorney—Negligence—Registration of his pendens), 340
 Pound v Plumstead Board of Works ("New Street"), 246
 Reg. v Allen (Marriage—Invalidity—Bigamy), 769
 — v Caswill (Poor-rate), 671
 — v East Dean, Overseers of (Mines—Rateability of surface work), 382
 — v Flintshire, J.J. (Bastardy order—Dismissal on merits), 160
 — v Lancashire, Justices of (Rating—Docks—Entire system), 818
 — v Holmes (Evidence—Question going to witness's credit), 161
 — v Payne (Competency of prisoner to give evidence), 444
 — v Rhea (Marriage—Invalidity—Bigamy), 769
 — v Richmond, J.J.—See Marshall v Ulleswater Steam Navigation Co.
 — v St. George's Union Assessment Committee (Rating—Separate tenement), 197
 — v St. Ives Union (Poor Law—Break of residence), 713
 — v St. Luke's, Chelsea (Compensation for lands injuriously affected under Lands Clauses Act, 1845), 286
 — v St. Pancras Assessment Committee (Valuation list—Gross and rateable value), 120
 — v Thompson (Evidence of prisoner's wife), 819
 — v Willis (Criminal Law—Second conviction), 672
 — v West Riding, Justices of (Nuisance), 751
 Remison v Walker (County Court trying issues—Power to amend), 532
 Richards v Gellatly (Practice—Interrogatories—Inspection), 712
 Richardson v North Eastern Railway Co. (Negligence—Carriers), 500
 "Riga," The, Adm. (Shipping—Necessaries), 915
 St. Mary, Newington v Jacobs.—See Marshall v Ulleswater Steam Navigation Co.
 Sharp v Powell (Negligence—Remoteness), 608
 Simey v Dixon (Registration), 552
 Stafford v Gardiner (Landlord and tenant—Incoming tenant—Agricultural tenancy), 340
 Steele v Brannan (Obscene publication—Report of judicial proceedings), 627
 Stimson v Farnham (Action against sheriff—Action of tort), 198
 Stoneham v London, Brighton, and South Coast Railway Co. (Compensation for common rights), 101
 Sweeting v Turner (Authority of Auctioneer—Paying out distress), 232
 Tesley v Shand (Principal and Agent), 303
 Townsend v Overseers of Marylebone (Registration), 533
 Varley v Coppard; Grimwood v Moss (Landlord and tenant—Breach of covenant—Forfeiture), 916
 Wallace v Seymour (Revocation of express devise by general reference), 849
 White v Feast (Malicious trespass—Jurisdiction of Justices), 751
 Whitmore v Humphries (Encroachment by tenant), 102
 Wilson v Newbury (Negligence), 160

Bankruptcy.

Birmingham and Staffordshire Gas Light Co., Ex parte, In re Fanshaw and Young; Ex parte Hughes, In re Browne (Bankruptcy Act, 1869, s. 13—Injunction—Execution on other legal process), 5

Bolland, Ex parte, Re Price (Act of Bankruptcy—Assignment of all debtor's property), 880
 Chatteris, Ex parte, Re Earl of Orkney (Judgment debt—Impeding judgment), 879
 Cohen, Ex parte, Re Sparks (Jurisdiction—Injunction—Bankruptcy Act, 1869, s. 72), 517
 Davis, Ex parte, Re Davis (Filing resolution—Stamp duty), 891
 Dewhurst, Ex parte, Re Vanhohe (Money received by unperfected bankrupt, and paid away by him), 534
 Fisher, Ex parte, Re Ash (Act of bankruptcy—Assignment of all debtor's property), 890
 Hawker, Ex parte, Re Keely (Act of bankruptcy—Fraudulent conveyance), 553
 Hoony, Ex parte, Re Jeffery (Double proof—Two estates), 819
 Hughes, Ex parte, In re Browne.—See Birmingham and St. Gaslight Co., Ex parte
 Hunt, Ex parte, In re Winn (Special resolution of creditors—Bankruptcy Act, 1869, s. 28—Power of the Court), 5
 Jones v Phelps (Debt barred by bankruptcy—Fresh promise to pay), 317
 Liverpool Loan Co., Ex parte, Re Bullen (Bankruptcy Act, 1869, s. 87—Seizure and sale—Debt over £20), 692
 Luckes, Ex parte, Re Wood (Act of bankruptcy—Fraudulent conveyance), 553
 Llynvi Coal and Iron Co., Ex parte, Re Hide (Disclaimer of onerous property), 549
 Macdonald v Parvis, In re Beveridge.—See Wood, Ex parte
 Mills, Ex parte, Re Manning (Bankruptcy Act, 1870, s. 13—Injunction—Staying proceedings), 25
 Palley, Ex parte, Re Russell (Member of Parliament—Liquidation by Arrangement), 891
 Rayner, Ex parte, In re Johnson (Execution creditor—Seizure and sale), 864
 Reed, Ex parte, Re Tweddell (Act of Bankruptcy—Assignment of all debtor's property), 880
 Rock, Ex parte, In re Hall (Execution creditor—Priority—Seizure before act of bankruptcy), 25
 Rumbold, Ex parte.—See Wood, Ex parte
 Sturt, Ex parte, Re Pearce (Petitioning creditor's debt—Debitum in presenti solvendum in futuro), 533
 Tait, Ex parte, Re Tait & Co. (Jurisdiction—Restraining action in Ireland), 543
 Wier, Ex parte, Re Wier (Debtor's summons—Act of bankruptcy), 45
 Williams, Ex parte, In re Davies (Execution creditor—Seizure and sale), 864
 Wilson, Ex parte, Re Douglas (Double proof—Two estates), 849
 Wood, Ex parte, Re Taylor and Rumbold; Ex parte Rumbold, Re Taylor and Rumbold; Macdonald v Parvis, In re Beveridge (Bankruptcy Act, 1869, s. 72—Jurisdiction of Courts of Bankruptcy), 5

Probate, Divorce, Admiralty.

Charter v Charter, Prob. (Will—Parol evidence), 216
 "George and Richard," The, Adm. (Unborn children), 265
 Graham, Elix., In the goods of, Prob. (Will in exercise of a power), 628
 Greaves v Greaves, Div. (Marriage—Invalidity Bigamy), 769
 Harding, Mary Anne, In the goods of, Prob. (Double Administration—Chose in action of deceased wife), 656
 "Jenny Lind," (Shipping—Master's lien for wages), 891
 Wilson v Wilson, Div. (Domicile—Evidence of intention), 891

NAMES OF CASES REPORTED IN THIS VOLUME.

Chancery.

Alcock v Catler, 574, 591
Best, a Solicitor, Re, 250
Bowen, Re, a Solicitor, 255
Bowness v Dobson, 555
Cholmondeley v Phelps, 27
Contract Corporation, Re; Gooch's case, 68
Dobson v Bowness, 555
Gouldsmith v Luntley, 689
Hill v Hill, 27
Procter v Gregg, 658
Thomas v Howell, 754
Venables v Noysdon, 574
Wainwright v Jones (Ch. Ct. of Lanc.), 180
Woodcock's Settled Estates, In re, 27

Common Law.

Ayre, J. B., an Attorney, Re, 633
Bruton, Re, 216
Castro, alias Orton, alias Tichborne, In re, 485,
519
George, T. J., case of, 69
Harding, Re, 46
Hederman v Johnson, 902
Helbrooke v Derby Commercial Bank (Limited),
714
Johnson v Cooke, 772
Jones, Re, 233
Levy, E. L., Re, 84
Levy v Freamer, 467
Lockhart v Pain, 690
Meyler v Woodley, 403
Moore v Metropolitan Railway Co., 287
Morgan v Steble and Jameson, 446
Pope, W., an Attorney, Re, 633
Powell v Sims, 892
Tichborne case, 919
Tichborne v Lushington, 323

Bankruptcy.

Adler, Re, 288
Ash, Ex parte: Re Ash, 574
Attorney, An, Re, 69
Aylott, Re, 6
Bentham, Re, 771
Charles, Ex parte; Re Charles, 556
Chapman, Re, 383
Clarke, Ex parte; Re Parkinson, 733
Davenport, Ex parte; Re Roberts, 85
Davis, Re, 288
Dear, Ex parte: Re White, 674
Donaldson, Re, 85
Elliott, Re, 535
Farquhar, Ex parte; Re Guild and Chapman,
121
Hutton, In re, 574
Helliwell, E., Re; Ex parte J. Helliwell, 266
Irvin, Re, 47
King, Re, 445
Launcefield, Re, 7
Marks, Re, 634
Martin, Ex parte; In re Terry, 148
Moody, Re, 545
New, Ex parte: Re Castleman, 771
Norman, Ex parte; Re Norman, 699
Oliver, Re, 425
Rea and Personal Advance Co., Ex parte; Re
Glass, 536
Rhodes, Ex parte; Re Jackson, 634
Sennett, Re, 383
Slater, Ex parte; Re Carvill, 675
Smith, Ex parte; Re Collett, 343
Smith, Ex parte; Re Mytton, 555
Tatham, In re, 7
Williams, Re, 265

Willmer, Re, 69
Wilson, Re, 306

County Courts.

Ash v Cook, 46
Barker, Re; Ex parte Cotton, 182
Bentley and Kilner v London and North
Western Railway Co., 575
Blackburn & Co., Re; Ex parte Bushby & Co.,
345
Brewer v Carter and Gould, 105
Briggs v Freeman, 691
Brown and North, Ex parte; Re Ingham, 935
Calvert, Ex parte; Re Thomas, 216
Chiapini, Re, 27
Cooper v Casswell, 636
Crout v Haslett, 27
Dyball, In re, 402
Edgar v Robins, 694
Field v Brown, 47
Galsyer v Moore, 635
Hall v Pepper, 715
Hardy v Bradley, 576
Hawkyard v Kayes, 401
Howarth v Sagar, 610
Hutton v Sidey, 830
Langridge v Morris, 267
London and North Western Railway Co. v
Scott, 48
Lynch, Re, 121
Mitchell v Boothroyd, 692
Moss v Hatherley, 307
Parish, Re; Ex parte Badcock, 367
Silverade v Golding, 344
Watkins, Re, 7
Wood v Roberts, 28
Wright v Cockcroft, 676

Albert Arbitration Cases.

Alexander's case, vol. 15, 783
Allen's case, 657
Anchor Assurance Co., Re; Knox's case, 673
Andrews' case, 609
Balfour's case, 534
Bank of London Association's case, 141
— Durham and Northumberland, &c., As-
sociation's case, 630
— Kerry's Executors' case; Lambert's
case, vol. 15, 692
— Lancaster's case, vol. 15, 748
— Re; Murrough's case and Chamberlain's
case, 483
Bourne's case, vol. 15, 653
Bowring's case, 305
Budden's case, 462
Butler's case, 399
Chamberlain's case, 493
Clarke's case, 554, 753
Cock's case, 501
Cole's Executor's case, vol. 15, 711
Dale's case, vol. 15, 886
Deini Bank case, vol. 15, 923
Dorning's case, 673
Driver's Executors' case, vol. 15, 637
Durham and Northumberland, &c., Associa-
tion's case, 630
Eagle Insurance Co.'s case, 493
Fagan's case, vol. 15, 855
Family Endowment Society's case, 141
— Alexander's case, vol. 15, 783
— Balfour's case, 534
— Cole's Executors' case, vol. 15, 711
— Hawtreys' case, 713
— Kennedy's case, vol. 15, 729

Family Endowment Society's case; Leo's case,
vol. 15, 636
— Watt's case and Woodcock's case, 517
Frere's case, vol. 15, 674
— (No. 3), 501
Hawtreys' case, 713
Howell's case, 632
Hummel's case, 65
Jull's case, 341
Kennedy's case, vol. 15, 729
Kent Mutual Society's case, 141
— Hummel's case, 65
Kerry's Executor's case, vol. 15, 692
Kirby's Executor's case, vol. 15, 922
Knox's case, 673
Lambert's case, vol. 15, 692
Lanacaster's case, vol. 15, 748
— (No. 2) 103
Lee's case, vol. 15, 636
Lewine's case, vol. 15, 828
Liverpool, London and Globe Insurance Co.'s
case, 917
Medical Invalid Society's case, 141
— Allen's case, 657
— Bourne's case, vol. 15, 653
— Bowring's case, 305
— Butler's case, 399
— Clarke's case, 753
— Dorning's case, 673
— Fagan's case, vol. 15, 855
— Medical Trust Fund, Re, vol. 15, 840
— Power's case, 732
— Russell's Executors' case, vol. 15, 790
— Sovereign Life Assurance Co.'s case, vol.
15, 816
— Wernnick's case, vol. 15, 767
— Wyatt's case, vol. 15, 816
Medical Trust Fund, Re, vol. 15, 840
Metropolitan Counties and General Life As-
surance, &c., Society, Re; Dale's case, vol.
15, 835
— Frere's case, vol. 15, 674
— Strachan's case, 572
Murrough's case, 483
Partridge v Albert Life Assurance Co., 199
Power's case, 732
Price v Paribry, vol. 15, 654
Queen Insurance Co.'s case, 917
Rivaz's case, 590
Russell's Executors' case, vol. 15, 790
Sadler's case, 571
Shayler's case, 501
Simla Bank case, vol. 15, 712
Sovereign Life Assurance Co.'s case, vol. 15,
816
Standard Life Assurance Co.'s case, 917
Strachan's case, 572
Tait's case, 46
Warne's case, 631
Watt's case, 517
Wernnick's case, vol. 15, 767
Western Society's case, 141
— Andrew's case, 609
— Budden's case, 462
— Driver's Executors' case, vol. 15, 637
— Frere's case (No. 3), Cock's case, and
Shayler's case, 501
— Howell's case, 632
— Rivaz's case, 590
— Warne's case, 631
— Wood's case, vol. 15, 693
Whittington Life Assurance Co.'s case, 917
Wood's case, vol. 15, 693
Woodcock's case, 517
Wyatt's case, vol. 15, 816

THE

GENERAL PUBLIC STATUTES,

35 & 36 VICTORIÆ, 1872.

THE IMPORTANT STATUTES ONLY ARE SET OUT AT LENGTH.

LONDON:
12, COOK'S COURT, CAREY STREET, W.C.

1872.

THE

GENERAL PUBLIC STATUTES

IN FORCE IN THE UNITED KINGDOM

BY THE EDITOR OF THE SOLICITORS' JOURNAL

LONDON: J. & W. COOK, 15, ABchurch Lane, 1873.

PUBLIC GENERAL STATUTES, 1872.

35 & 36 VICTORIA.

[THE IMPORTANT STATUTES ONLY ARE SET OUT AT LENGTH.]

CAP. I.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending the thirty-first day of March one thousand eight hundred and seventy-one, one thousand eight hundred and seventy-two, and one thousand eight hundred and seventy-three. [25th March, 1872.]

CAP. II.

An Act to extend and explain the Law relating to Loans for purposes connected with the Relief of the Poor. [25th March, 1872.]

Whereas it is expedient that the provisions of the law relating to the borrowing of money for purposes connected with the relief of the poor should be extended and explained:

Be it therefore enacted, &c., as follows:

1. *The limit of expenditure for building and furnishing district schools in the metropolis extended.* That the limit imposed by the sixteenth clause of the Poor Law Amendment Act, 1851, upon the amount to be raised for the purpose of building, fitting up, and furnishing schools for school districts formed in the metropolis under the Poor Law Amendment Act, 1844, or any Act extending or explaining the same, shall be increased from one third to two thirds of the annual average of the expenditure therein referred to.

2. *Sect. 14 of 30 & 31 Vict. c. 106, declared to apply to the metropolis.* The fourteenth clause of the Poor Law Amendment Act, 1867, which increases the limit of the amount to be raised for the purpose of building workhouses shall be deemed to have applied and to apply to the metropolis, anything in the Metropolitan Poor Act, 1867, to the contrary notwithstanding.

3. *Sect. 5 of 22 & 23 Vict. c. 45 explained.* It is hereby declared and enacted that the fifth section of the Union Loans Act, 1869, does not prevent the guardians of any union or parish from borrowing money to be repaid within a less period than thirty years.

4. *Persons who have made advances to unions and parishes under certain circumstances beyond the borrowing powers may be reimbursed by leave of the Local Government Board.* Whereas persons have advanced money or incurred personal liabilities on behalf of the guardians of their union or parish at the request of such guardians, and for the benefit of the union or parish, when the borrowing powers of such guardians have been exhausted, and the provisions of the existing law do not enable such persons to be reimbursed their advances, or to be released from their liability, and it is expedient to provide a remedy for them: Be it therefore enacted, that where before the passing of this Act any guardian or other person shall at the request of the board of guardians of a union or parish have advanced money or incurred any such liability as aforesaid, for the benefit of the union or parish, to enable the workhouse or other works of such union or parish to be completed, when the borrowing powers of such board of guardians were exhausted, the Local Government Board may, by their order, on the application of the board of guardians, empower such board to reimburse such guardian or person the amount so advanced, or release him from his liability by the payment of the requisite amount to him or to the person or persons to whom he may be liable,

and for this purpose to borrow money, if the said Local Government Board shall think proper, to be repaid in the manner required in respect of loans advanced to guardians; and, in the case of a union, to charge the sums, whether paid at once or borrowed, to the whole of the union, or to such parish or parishes contained therein only as the said board shall direct.

5. *Short title.* This Act may be cited as "The Poor Law Loans Act, 1872."

CAP. III.

An Act for punishing Mutiny and Desertion, and for the better payment of the Army, and their Quarters. [23rd April, 1872.]

CAP. IV.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore. [23rd April, 1872.]

CAP. V.

An Act to amend the Charter under which the Governor and Company of the Bank of Ireland is incorporated. [23rd April, 1872.]

CAP. VI.

An Act to amend The Public Parks (Ireland) Act, 1869. [13th May, 1872.]

CAP. VII.

An Act to amend the Law respecting the borrowing of Money by County Authorities for County Buildings. [13th May, 1872.]

Whereas by the Act of the session of the seventh year of the reign of King George the Fourth, chapter sixty-three, intituled "An Act to provide for repairing, improving, and rebuilding shire halls, county halls, and other buildings for holding the assizes and grand sessions, and also judges lodgings, throughout England and Wales" (in this Act referred to as the County Buildings Act, 1826), it is provided that the justices of a county, riding, or division as therein mentioned may borrow sums of money for the purposes therein mentioned, upon the credit of the rate of such county, riding, or division, but all sums so borrowed are required to be repaid within fourteen years from the time of borrowing the same:

7 *Will. 4 & 1 Vict. c. 24. 2 & 3 Vict. c. 69, 10 & 11 Vict. c. 28.* And whereas the provisions of the County Buildings Act, 1826, with respect to borrowing have been by divers Acts extended to the borrowing of money for the purposes of those Acts:

And whereas it is expedient to authorise the repayment of any money borrowed for the purposes of the said Acts within thirty years instead of within fourteen years:

Be it enacted, &c., as follows:

1. *Extension of time for repayment of loan.* Any sum borrowed after the passing of this Act under the provisions of the County Buildings Act, 1826, may be repaid within thirty years instead of within fourteen years from the time of borrowing the same, and the provisions of the County Buildings Act, 1826, and of any enactments which relate to the

borrowing of money and repayment of money borrowed under the provisions of that Act, shall be construed as if "thirty years" were therein substituted for "fourteen years."

2. *Construction of Act.*] This Act shall be construed as one with the County Buildings Act, 1826.

3. *Short title.*] This Act may be cited as the County Buildings (Loans) Act, 1872.

CAP. VIII.

An Act to provide for the Resignation of Deans and Canons. [13th May, 1872.]

Whereas it is expedient to provide for the relief of deans and canons who, by reason of age or any mental or bodily infirmity, may be permanently incapacitated from the due performance of their duties:

Be it therefore enacted &c., as follows:

Preliminary.

1. *Short title.* This Act may be cited for all purposes as "The Deans and Canons Resignation Act, 1872."

2. *Definitions* - "Dean," "Canon," "Bishop."

3. *Provision for resignation of incapacitated deans and canons on application to bishop.*

4. *Power to bishop to direct inquiry into incapacity of dean or canon.*

5. *Special provision as to dean or canon found by process of law to be of unsound mind.*

6. *As to expenses of an inquiry if directed by bishop.*

7. *Vacancy in deanery or canonry to create a vacancy in any annexed preferment.*

8. *Archbishop to act as bishop in case of certain collegiate churches.*

CAP. IX.

An Act to continue the Appointment and Jurisdiction of the Commissioners for the Sale of Incumbered Estates in the West Indies. [13th May, 1872.]

CAP. X.

An Act to extend the provisions of the Acts relating to Marriages in England and Ireland, so far as they relate to Marriages according to the usages of the Society of Friends. [13th May, 1872.]

CAP. XI.

An Act to apply the sum of Six million pounds out of the Consolidated Fund to the service of the year ending the thirty-first day of March one thousand eight hundred and seventy-three. [13th May, 1872.]

CAP. XII.

An Act to Amend an Act of the fourth and fifth years of King William the Fourth, chapter twenty-four, intituled, "An Act to alter, amend, and consolidate the laws for regulating the pensions, compensations, and allowances to be made to persons in respect of their having held civil offices in His Majesty's service. [13th May, 1872.]

CAP. XIII.

An Act to amend the Irish Church Act, 1869, so far as respects a Vacancy in the office of Commissioner of Church Temporalities in Ireland. [27th June, 1872.]

CAP. XIV.

An Act for the Alteration of Boundaries of Dioceses. [27th June, 1872.]

CAP. XV.

An Act for the regulation of the Royal Parks and Gardens. [27th June, 1872.]

Whereas it is expedient to protect from injury the Royal parks, gardens, and possessions under the management of the Commissioners of Her Majesty's Works and Public Buildings, herein-after called the Commissioners, and to secure the public from molestation and annoyance while enjoying such parks, gardens, and possessions:

And whereas a list of such of the said parks and gardens and possessions as are now under the management of the Commissioners is contained in the second schedule hereto:

Be it enacted, &c., as follows:

1. *Short title.*] This Act may be cited for all purposes as "The Parks Regulation Act, 1872."

2. *Application of Act.*] This Act shall apply to all the Royal parks, gardens, and possessions, the management of which is for the time being vested in the Commissioners, and such parks, gardens, and possessions are hereinafter included under the term "park."

3. *Definition of "park-keeper."*] Park-keeper shall mean any person who, previously to the passing of this Act, has been or may hereafter be appointed keeper of a park as defined by this Act.

4. *Penalty on violating regulations in schedule.*] If any person does any act in contravention of any regulation contained in the first schedule annexed hereto, he shall, on conviction by a court of summary jurisdiction, be liable to a penalty not exceeding five pounds; but the regulations contained in the said schedule shall not take effect until the expiration of one calendar month after the passing of this Act.

5. *Park-keeper may apprehend any offender whose name or residence is not known.*] Any park-keeper in uniform, and any persons whom he may call to his assistance, may take into custody, without a warrant, any offender who in the park where such keeper has jurisdiction, and within the view of such keeper, acts in contravention of any of the said regulations, provided that the name or residence of such offender is unknown to and cannot be ascertained by such park-keeper.

If any such offender, when required by any park-keeper or by any police constable to give his name and address, gives a false name or false address, he shall, on conviction by a court of summary jurisdiction, be liable to a penalty not exceeding five pounds.

6. *Penalty on assaults on park-keeper.*] Where any person is convicted of an assault on any park-keeper when in the execution of his duty, such person shall, on conviction by a court of summary jurisdiction, in the discretion of the court, be liable either to pay a penalty not exceeding twenty pounds, and in default of payment to be imprisoned, with or without hard labour for a term not exceeding six months, or to be imprisoned for any term not exceeding six months with or without hard labour.

7. *Powers, duties and privileges of park-keeper.*] Every park-keeper in addition to any powers and immunities specially conferred on him by this Act, shall, within the limits of the park of which he is keeper, have all such powers privileges, and immunities, and be liable to all such duties and responsibilities, as any police constable has within the police district in which such park is situated; and any person so appointed a park-keeper as aforesaid shall obey such lawful commands as he may from time to time receive from the Commissioners in respect of his conduct in the execution of his office.

8. *Police constables to have the same powers, &c., as park-keepers.*] Every police constable belonging to the police force of the district in which any park, garden, or possession to which this Act applies is situate shall have the powers, privileges, and immunities of a park-keeper within such park garden, or possession.

9. *Rules to be laid before Parliament.*] Any rule made in pursuance of the first schedule to this Act shall be forthwith laid before both Houses of Parliament, if Parliament be sitting, or if not then within three weeks after the beginning of the then next ensuing session of Parliament; and if any such rules shall be disapproved of by either House of Parliament within one month after the same shall have been so laid before Parliament, such rules, or such parts thereof as shall be disapproved of, shall not be enforced.

10. *Publication of regulations.*] Copies of regulations to be observed in pursuance of this Act by persons using a Royal

park to which this Act applies shall be put up in such park in such conspicuous manner as the Commissioners may deem best calculated to give information to the persons using the park.

11. *Saving of certain rights.*] Nothing in this Act shall authorise any interference with any rights of way or any right whatever to which any person or persons may be by law entitled.

12. *Act to be cumulative.*] All powers conferred by this Act shall be deemed to be in addition to and not in derogation of any powers conferred by any other Act of Parliament, and any such powers may be exercised as if this Act had not been passed.

13. *Saving of the rights of the Crown.*] Nothing in this Act contained shall be deemed to prejudice or affect any prerogative or right of Her Majesty or any power, right, or duty of the Commissioners, or any powers or duties of any officers, clerks, or servants, appointed by Her Majesty or by the Commissioners,

14. *Saving of Metropolitan Streets Act.*] Nothing in this Act contained shall affect the Metropolitan Streets Act, 1867, or the application thereof to any park to which it is by law applicable.

15. *Summary proceedings for offences.*] Any offence against this Act may be prosecuted before a court of summary jurisdiction, as follows:

In England, in manner directed by the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the performance of the duties of justices of the peace out of sessions within England and Wales with respect to summary convictions and orders," and any Act amending the last-mentioned Act.

In Scotland, the court of summary jurisdiction shall include any justice or justices of the peace, sheriff or sheriff substitute, police or other magistrate, proceedings before whom may be regulated by "The Summary Procedure Act, 1864," upon whom all jurisdictions, powers, and authorities necessary for the purposes of this Act are hereby conferred.

All offences under this Act in Scotland shall be prosecuted and all penalties recovered under the provisions of the Summary Procedure Act, 1864, at the instance of the procurator fiscal of the court before which such proceedings are instituted.

In Scotland, all penalties under this Act, other than those herein-before provided for, in default of payment may be enforced by imprisonment for a term to be specified in the judgment or sentence of the court, but not exceeding three calendar months, and all penalties imposed and recovered under this Act shall be paid to the clerk of court and by him accounted for and paid to the fine fund of the court in which the fine is imposed.

"Court of summary jurisdiction" shall in this Act mean and include any justice or justices of the peace, metropolitan police magistrate, stipendiary or other magistrate or officer by whatever name called, to whom jurisdiction in respect of offences arising under this Act is given by this section or any Acts therein referred to.

The FIRST SCHEDULE above referred to.

REGULATIONS to be observed by PERSONS using the ROYAL PARKS.

1. No person shall drive or wheel into a park any vehicle, barrow, truck, or machine not admitted therein by the rules of the park.

2. No persons shall drive or wheel in a park any vehicle, barrow, truck, or machine except in accordance with the rules of the park.

3. No person shall ride any horse or other animal in a park except in accordance with the rules of the park.

4. No groom or horsebreaker shall exercise or train any horse in any part of a park except at the times and in manner permitted by the rules of the park.

5. No person shall ride or drive furiously so as to endanger the safety or convenience of any other person using a park.

6. No person shall ride or drive on any road ordinarily set apart for riding or driving during such period as by notice in writing affixed thereto it may be declared unfit for use by reason of repairs or for any other special reason.

7. No person shall drill or practise military evolutions,

or use arms, or play any game or music, or practise gymnastics or sell or let any commodity, in a park except in accordance with the rules of the park.

8. No person shall deliver, or invite any person to deliver, any public address in a park except in accordance with the rules of the park.

9. No intoxicated person shall enter or remain in a park.

10. No person shall walk upon any shrubbery or flower bed, or enclosed plantation, or any other land specially enclosed.

11. No person shall use any water in a park for fishing, bathing, washing, or skating, or for any other purpose, except in accordance with the rules of the park.

12. No person shall allow any dog to be at large in a park except in accordance with the rules of the park.

13. No person shall destroy or injure any tree, shrub, or plant, or pluck any flower or leaf thereof, or injure or deface any building, structure, seat, railing, or other property in or enclosing a park, or put up, fix, or exhibit any advertisement, posting bill, or other paper in a park.

14. No person shall commit any act in violation of public decency, or use profane, indecent, or obscene language to the annoyance of other persons using a park.

15. No person shall discharge any firearm, or wantonly throw or discharge any stone or other missile to the damage or danger of any person, or make any bonfire, or throw or set fire to any firework in a park.

16. No person shall wilfully interfere with or annoy any other person using or enjoying a park, or any part thereof in accordance with the rules of the park, or otherwise using or enjoying the same in any lawful manner.

17. No person shall wilfully disturb any animal grazing in a park, or otherwise worry or ill-treat any animal in a park, or in the waters thereof.

18. No person shall enter into or remain in any part of a park during any time between sunset and sunrise appointed for closing the same, except for the purpose of passing along a way kept open for the use of the public.

19. For the purposes of this schedule "the rules of the park" shall be deemed to be such rules as may in relation to any matter within the jurisdiction of the ranger (if any) of the park be from time to time made by the ranger, and in relation to any other matter to which these regulations are applicable be from time to time made by the Commissioners of Her Majesty's Works and Public Buildings.

20. Any rules, whether made by the ranger or by the Commissioners of Her Majesty's Works and Public Buildings, shall be issued under the common seal of the said Commissioners; and any rules purporting to be the rules of the park may be proved by the production of a copy thereof purporting to be printed by the printers of Her Majesty.

The SECOND SCHEDULE above referred to.

Hyde Park.	Greenwich Park.
Saint James's Park.	Kew Gardens, Pleasure Grounds, and Green.
The Green Park.	Hampton Court Park.
Kensington Gardens.	Hampton Court Gardens and Green.
Parliament Square Gardens.	Richmond Park and Green.
Regent's Park.	Bushy Park.
Kennington Park.	Holyrood Park.
Primrose Hill.	Linlithgow Peel or Park.
Victoria Park.	
Battersea Park.	

CAP. XVI.

An Act to Amend the Cattle Disease (Ireland) Act Amendment Act, 1870. [27th June, 1872.]

CAP. XVII.

An Act to amend the Laws for the Regulation of Charitable Loan Societies in Ireland. [27th June, 1872.]

CAP. XVIII.

An Act for regulating Inquiries by the Board of Trade. [27th June, 1872.]

Whereas by the Metropolis Water Act, 1871, it is provided that certain inquiries shall be conducted by the Board of Trade:

And whereas doubts have been entertained as to the mode in which in this and other similar cases such inquiries should be conducted:

Be it enacted, &c., as follows:

1. *Inquiries may be conducted by persons authorised.* That wherever in any Act of Parliament it is directed that an inquiry shall be held or instituted by the Board of Trade, the same shall be deemed to have been duly held or instituted if conducted by any person or persons duly authorised in that behalf by the President of the said Board, by writing under his hand or under the hand of one of the Secretaries of the said Board.

CAP. XIX.

An Act for the Prevention and Punishment of Criminal Outrages upon Natives of the Islands in the Pacific Ocean. [27th June, 1872.]

CAP. XX.

An Act to grant certain Duties of Customs and Inland Revenue, and to alter other Duties. [27th June, 1872.]

CAP. XXI.

An Act to Amend the Law relating to Reformatory and Industrial Schools. [27th June, 1872.]

CAP. XXII.

An Act to repeal an Act, intituled "An Act to restrain Party Processions in Ireland." [27th June, 1872.]

CAP. XXIII.

An Act for amending the Law relating to the Harbours and Coasts of the Isle of Man. [27th June, 1872.]

CAP. XXIV.

An Act to facilitate the Incorporation of Trustees of Charities for Religious, Educational, Literary, Scientific, and Public Charitable Purposes, and the Enrolment of certain Charitable Trust Deeds. [27th June, 1872.]

Whereas it is expedient to facilitate the incorporation of the trustees of charities established for religious, educational, literary, scientific, or public charitable purposes, and to provide for the due protection and transmission of the property belonging to or vested in such charities, or trustees of such charities, and to diminish the expense of enrolment under an Act passed in the thirtieth year of the reign of Her present Majesty, intituled "An Act to make further provision for the enrolment of certain deeds, assurances, and other instruments relating to charitable trusts:"

Be it therefore enacted, &c., as follows:

1. *Upon application of trustees of any charity, Commissioners may grant certificate of registration as a corporate body.* From and after the passing of this Act it shall be lawful for the trustees or trustee for the time being of any charity for religious, educational, literary, scientific, or public charitable purposes, to apply in manner herein-after mentioned to the Charity Commissioners for England and Wales for a certificate of registration of the trustees of any such charity as a corporate body; and if the Commissioners, having regard to the extent, nature, and objects and other circumstances of the charity shall consider such incorporation expedient, they may grant such certificate accordingly, subject to such conditions or directions as they shall think fit to insert in their certificate relating to the qualifications and number of the trustees, their tenure or avoidance of office, and the mode of appointing new trustees, and the custody and use of the common seal; and the trustees of such charity shall thereupon become a body corporate by the name described in the certificate, and shall have perpetual succession and a common seal, of which the device shall be approved by the Commissioners, and power to sue and be sued in their corporate name, and to hold and acquire, notwithstanding the statutes of mortmain, and by instruments under their common seal to convey, assign, and demise, any present or future property, real or personal, belonging to, or held for the benefit of such charity, in such and the like manner, and subject to such restrictions and provisions, as such trustees might, without such incorporation, hold or acquire, convey, assign, or demise the same for the purposes of such charity:

Provided that nothing herein contained shall be taken or construed so as to extend, modify, or control any of the provisions of an Act passed in the ninth year of his Majesty King George the Second, chapter thirty-six, intituled "An Act to restrain the disposition of lands 'whereby the same become unalienable,' or to make valid any gift, grant, or purchase which would be invalid under the enactments contained in that Act.

2. *Estate to vest in body corporate.* The certificate of incorporation shall vest in such body corporate all real and personal estate, of what nature or tenure soever, belonging to or held by any person or persons in trust for such charity, and thereupon any person or persons in whose name or names any stocks, funds, or securities shall be standing in trust for the charity, shall transfer the same into the name of such body corporate, except as herein-after provided; and all covenants and conditions relating to any such real estate enforceable by or against the trustees thereof before their incorporation shall be enforceable to the same extent and by the same means by or against them after their incorporation: Provided always, that if such property shall be of copyhold or customary tenure, and liable to the payment of any fine or heriot on the death or alienation of the tenant or tenants thereof, it shall be lawful for the lord or lady of the manor of which such property shall be holden, on the granting of the said certificate, and at the expiration of every period of forty years thereafter so long as such property shall belong to such body corporate, to receive and take a sum corresponding to the fine and heriot, if any, which would have been payable by law upon the death or alienation of the tenant or tenants thereof, and to recover the same by any means which such lord or lady could have used in the event of the death or alienation of the tenant or tenants of such property, such payments to be in full of all fines and heriots payable in respect of the same property: Provided also, that such certificate shall not have the effect of summarily transferring or directing the transfer to the incorporated trustees any stocks, funds or securities held by the official trustees of charitable funds for the benefit of the charity, but the same shall be transferable only by the official trustees to the incorporated trustees under the discretionary order of the Commissioners and by the ordinary means of transfer or assignment.

3. *Particulars respecting application.* Every application to the Commissioners for a certificate under this Act shall be in writing, signed by the person or persons making the same, and shall contain the several particulars specified in the schedule hereto, or such of them as shall be applicable to the case. The said Commissioners may require such declaration or other evidence in verification of the statements and particulars in the application, and such other particulars, information, and evidence, if any, as they may think necessary or proper.

4. *Nomination of trustees, and filling up vacancies.* Before a certificate of incorporation shall be granted, trustees of the charity shall have been effectually appointed to the satisfaction of the Commissioners, and where a certificate of incorporation shall have been granted, vacancies in the number of the trustees of such charity shall from time to time be filled up so far as shall be required by the constitution or settlement of the charity, or by any such conditions or directions as aforesaid, by such legal means as would have been available for the appointment of new trustees of the charity if no certificate of incorporation had been granted, or otherwise as shall be required by such conditions or directions as aforesaid, and the appointment of every new trustee shall be certified by or by the direction of the trustees to the Commissioners, either upon the completion of such appointment or when the next return of the yearly income and expenditure of the charity shall or ought to be made to the Commissioners under the general law, with which the certificate of such appointment shall be sent, and within one month after the expiration of each period of five years after the grant of a certificate of incorporation, or whenever required by the Commissioners, a return shall be made to the said Commissioners by the then trustees of the names of the trustees at the expiration of each such period with their residences and additions.

5. *Liability of trustees and others, notwithstanding incorporation.* After a certificate of incorporation has been granted under the provisions of this Act all trustees of the charity, notwithstanding their incorporation, shall be

chargeable for such property as shall come into their hands, and shall be answerable and accountable for their own acts, receipts, neglects, and defaults, and for the due administration of the charity and its property, in the same manner and to the same extent as if no such incorporation had been effected, and nothing herein contained shall diminish or impair any control or authority exercisable by the Commissioners over the trustees who shall be so incorporated, but they shall remain subject jointly and separately to such control and authority as if they were not incorporated.

6. *Certificate to be evidence of compliance with requisitions.*] A certificate of incorporation so granted shall be conclusive evidence that all the preliminary requisitions herein contained and required in respect of such incorporation have been complied with, and the date of incorporation mentioned in such certificate shall be deemed to be the date at which incorporation has taken place.

7. *Commissioners to keep record of applications for certificates, &c., and charge fees for inspection.*] The said Commissioners shall keep a record of all such applications for and certificates of incorporation, and shall preserve all documents sent to them under the provisions of this Act, and any person may inspect such documents, under the direction of the Commissioners, and any person may require a copy or extract of any such document to be certified under the hand of the secretary or chief clerk of the said Commissioners, and there shall be paid for such certified copy or extract a fee, to be fixed by the Commissioners, not exceeding fourpence for each folio of such copy or extract.

8. *Enforcement of orders and directions of Commissioners.*] All conditions and directions inserted in any certificate of incorporation shall be binding upon and performed or observed by the trustees as trusts of the charity, and shall also be enforceable by the same means or in the same manner as any orders made by the Commissioners under their ordinary jurisdiction may now be enforced.

9. *Applications and certificates to be stamped.*] Every application for a certificate of incorporation under this Act, and every such certificate, shall be charged with a stamp duty of ten shillings, and a stamp denoting the payment of that duty shall be impressed or fixed upon such application or certificate.

10. *Gifts to charity before incorporation to have same effect afterwards.*] After the incorporation of the trustees of any charity pursuant to this Act every donation, gift, and disposition of property, real or personal, theretofore lawfully made (but not having actually taken effect), or thereafter lawfully made by deed, will, or otherwise to or in favour of such charity, or the trustees thereof, or otherwise for the purposes thereof, shall take effect as if the same had been made to or in favour of the incorporated body or otherwise for the like purposes.

11. *Contracts not under seal to be binding in certain cases.*] Every contract made or entered into by the trustees of a charity, which would be valid and binding according to the constitution, settlement, or rules of the charity, if no such incorporation had taken place as aforesaid, shall be valid and binding although the same shall not have been made or entered into under the common seal of the trustees.

12. *Payments on transfers in reliance on corporate seal protected.*] Any company or person who shall make or permit to be made any transfer or payment bona fide, in reliance on any instruments to which the common seal of any body corporate created under this Act is affixed, shall be indemnified and protected in respect of such transfer or payment, notwithstanding any defect or circumstance affecting the execution of the instrument.

13. *Enrolment where deeds have been lost or not duly enrolled.*] And whereas by an Act passed in the thirtieth year of the reign of Her present Majesty, chapter fifty-seven, intitled "An Act to make further provisions for the enrolment of certain Deeds, Assurances, and other instruments relating to Charitable Trusts," provision was made for the enrolment upon application by summons in a summary way to the Court of Chancery, and by order of the court made upon such application of certain deeds, assurances, and other instruments relating to charitable trusts, and it is expedient to extend such provision and to facilitate the enrolling of deeds, assurances, and instruments relating to charitable trusts where the original deeds creating such trusts have

been lost, or when the same have not been enrolled in proper time: Be it enacted, from and after the passing of this Act, if the clerk of enrolments in Chancery for the time being shall be satisfied, by affidavit or otherwise, that the deed, assurance, or other instruments conveying or charging the hereditaments, estate, or interest for charitable uses was made really and bona fide for full and valuable consideration actually paid at or before the making or perfecting thereof, or reserved by way of rentcharge or other annual payment, or partly paid at or before the making or perfecting of such deed, assurance, or other instrument and partly reserved as aforesaid, without fraud or collusion, and that at the time of the application to the said clerk of enrolments possession or enjoyment is held under such a deed, assurance, or other instrument, and that the omission to enrol the same in proper time has arisen from ignorance or inadvertence, or from the destruction thereof by time or accident, it shall be lawful for the said clerk of enrolments to enrol the deed, assurance, or instrument to which the application relates, or such a subsequent deed as in the said Act mentioned, as the case may be, and the same shall thereupon be enrolled accordingly, and such enrolment shall be as valid and effective for all purposes as if the same had been made under the authority of the said last-mentioned Act. Over and above the ordinary fee payable upon the enrolment of any deed, assurance, or other instrument, there shall be paid upon the enrolment under this section of any deed, assurance, or other instrument, the further fee of ten shillings.

14. *Definition of terms "public charitable purposes," "trustees."*] The words "public charitable purposes" shall mean all such charitable purposes as come within the meaning, purview, or interpretation of the statute of the forty-third year of Queen Elizabeth, chapter four, or as to which, or the administration of the revenues or property applicable to which, the Court of Chancery has or may exercise jurisdiction; and the word "trustees" shall include the governors, managers, or other persons having the conduct or management of any charity.

15. *Short title.*] This Act may be cited for all purposes as "The Charitable Trustees Incorporation Act, 1872."

SCHEDULE.

The objects of the charity and the rules and regulations of the same, together with the date of and parties to every deed, will, or other instrument, if any, creating, constituting, or regulating the same.

A statement and short description of the property, real and personal, which at the date of the application is possessed by or belonging to or held on behalf of such charity.

The names, residences, and additions of the trustees of such charity.

The proposed title of the corporation, of which title the words "trustees" or "governors" and "registered" shall form part.

The proposed device of the common seal, which shall in all cases bear the name of incorporation. The regulations for the custody and use of the common seal.

CAP. XXV.

An Act to amend the Juries Act (Ireland), 1871.
[27th June, 1872.]

CAP. XXVI.

An Act to amend the practice of the Courts of Law, with respect to the Review of the Decisions of Justices.
[18th July, 1872.]

Whereas ex parte proceedings are frequently taken in the Superior Courts of Common Law at Westminster to bring under review the decisions of justices of the peace acting both in and out of sessions, and there is no fund at the disposal of such justices to defray the expense of appearing by counsel to support their decisions:

And whereas it is expedient that such justices should, without expense to themselves, have an opportunity in such cases of informing the Court of the grounds of their decision, and of all material facts bearing upon the same:

Be it enacted, &c., as follows:

1. *Short title.*] This Act may be cited as "The Review of Justices Decisions Act, 1872."

2. *Justice, when his decision is called in question in a Superior Court, may file affidavit showing grounds of his decision without payment of fee.* Whenever the decision of any justice or justices is called in question in any Superior Court of Common Law by a rule to show cause or other process issued upon an ex parte application, it shall be lawful for any such justice to make and file in such court an affidavit setting forth the grounds of the decision so brought under review, and any facts which he may consider to have a material bearing upon the question at issue, without being required to pay any fee in respect of filing such affidavit or any stamp duty thereupon, and such affidavit may be sworn before a Commissioner authorised to take oaths in Chancery, and may be forwarded by post to one of the Masters of the Court for the purpose of being so filed.

3. *Court to take into consideration matters contained in affidavit notwithstanding non-appearance of counsel in support.* Whenever any such affidavit has been filed as aforesaid, the Court shall, before making the rule absolute against the justice or justices, or otherwise determining the matter so as to overrule or set aside the acts or decisions of the justice or justices to which the application relates, take into consideration the matters set forth in such affidavit, notwithstanding that no counsel appear on behalf of the said justices.

CAP. XXVII.

An Act to amend the Elementary Education Act, 1870.
[18th July, 1872.]

Whereas it is expedient to extend the powers and provisions of the Elementary Education Act, 1870, in regard to the borrowing of money, so as to enable the School Board for London to avail themselves of such powers and provisions for the purchase of lands required for the erection of offices for the Board with all suitable and necessary appurtenances:

Be it enacted, &c., as follows:

1. *33 & 34 Viet. c. 75, s. 19, extended to offices.* The 19th section of the Elementary Education Act 1870, shall extend to any offices required by the School Board for London.

2. *Seets. 57 and 58 extended to expense for offices.* The 57th and 58th sections of the said Act shall extend to any expense incurred by the School Board for London in providing or enlarging any such offices as aforesaid.

3. *The term "offices."* The term "offices" shall include all necessary conveniences and appurtenances.

4. *Short title.* This Act shall be read and construed as part of the Elementary Education Act, 1870, and in citing this Act in other Acts of Parliament and in legal instruments it shall be sufficient to use the expression "The Elementary Education Act Amendment Act, 1872."

CAP. XXVIII.

An Act to amend the Practice and Procedure of the Crown Side of the Court of Queen's Bench in Ireland.
[18th July, 1872.]

CAP. XXIX.

An Act to amend the Act of the Session of the Twenty-eighth and Twenty-ninth years of the reign of Her present Majesty, chapter one hundred and thirteen, intituled "An Act to authorise the Payment of Retiring Pensions to Colonial Governors."
[18th July, 1872.]

CAP. XXX.

An Act to suspend the compulsory Operation of the Chain Cables and Anchors Act, 1871.
[18th July, 1872.]

CAP. XXXI.

An Act to amend the several Acts relating to the Drainage and Improvement of Lands in Ireland.
[18th July, 1872.]

CAP. XXXII.

An Act to explain and amend the Landlord and Tenant (Ireland) Act, 1870, so far as relates to the Purchase by Tenants of their Holdings.
[18th July, 1872.]

CAP. XXXIII.

An Act to amend the Law relating to Procedure at Parliamentary and Municipal Elections.

[18th July, 1872.]

Whereas it is expedient to amend the law relating to procedure at parliamentary and municipal elections:

Be it enacted, &c., as follows:

PART I.

PARLIAMENTARY ELECTIONS.

Procedure at Elections.

1. *Nomination of candidates for parliamentary elections.* A candidate for election to serve in Parliament for a county or borough shall be nominated in writing. The writing shall be subscribed by two registered electors of such county or borough as proposer and seconder, and by eight other registered electors of the same county or borough as assenting to the nomination, and shall be delivered during the time appointed for the election to the returning officer by the candidate himself, or his proposer or seconder.

If at the expiration of one hour after the time appointed for the election no more candidates stand nominated than there are vacancies to be filled up, the returning officer shall forthwith declare the candidates who may stand nominated to be elected, and return their names to the clerk of the Crown in Chancery; but if at the expiration of such hour more candidates stand nominated than there are vacancies to be filled up, the returning officer shall adjourn the election and shall take a poll in manner in this Act mentioned.

A candidate may, during the time appointed for the election, but not afterwards, withdraw from his candidature by giving a notice to that effect, signed by him, to the returning officer: Provided, that the proposer of a candidate nominated in his absence out of the United Kingdom may withdraw such candidate by a written notice signed by him and delivered to the returning officer, together with a written declaration of such absence of the candidate.

If after the adjournment of an election by the returning officer for the purpose of taking a poll one of the candidates nominated shall die before the poll has commenced, the returning officer shall, upon being satisfied of the fact of such death, countermand notice of the poll, and all the proceedings with reference to the election shall be commenced afresh in all respects as if the writ had been received by the returning officer on the day on which proof was given to him of such death; provided that no fresh nomination shall be necessary in the case of a candidate who stood nominated at the time of the countermand of the poll.

2. *Poll at elections.* In the case of a poll at an election the votes shall be given by ballot. The ballot of each voter shall consist of a paper (in this Act called a ballot paper) showing the names and description of the candidates. Each ballot paper shall have a number printed on the back, and shall have attached a counterfoil with the same number printed on the face. At the time of voting, the ballot paper shall be marked on both sides with an official mark, and delivered to the voter within the polling station, and the number of such voter on the register of voters shall be marked on the counterfoil, and the voter having secretly marked his vote on the paper, and folded it up so as to conceal his vote, shall place it in a closed box in the presence of the officer presiding at the polling station (in this Act called "the presiding officer") after having shown to him the official mark at the back.

Any ballot paper which has not on its back the official mark, or on which votes are given to more candidates than the voter is entitled to vote for, or on which anything, except the said number on the back, is written or marked by which the voter can be identified, shall be void and not counted.

After the close of the poll the ballot boxes shall be sealed up, so as to prevent the introduction of additional ballot papers, and shall be taken charge of by the returning officer, and that officer shall, in the presence of such agents, if any, of the candidates as may be in attendance, open the ballot boxes, and ascertain the result of the poll by counting the votes given to each candidate, and shall forthwith declare to be elected the candidates or candidate to whom the majority of votes have been given, and return their names to the Clerk of the Crown in Chancery. The decision of the returning officer as to any question arising in respect of

any ballot paper shall be final, subject to reversal on petition questioning the election or return.

Where an equality of votes is found to exist between any candidates at an election for a county or borough, and the addition of a vote would entitle any of such candidates to be declared elected, the returning officer, if a registered elector of such county or borough, may give such additional vote, but shall not in any other case be entitled to vote at an election for which he is returning officer.

Offences at Elections.

3. *Offences in respect of nomination papers, ballot papers, and ballot boxes.* Every person who,—

1. Forges or fraudulently defaces or fraudulently destroys any nomination paper, or delivers to the returning officer any nomination paper, knowing the same to be forged; or
2. Forges or counterfeits or fraudulently defaces or fraudulently destroys any ballot paper or the official mark on any ballot paper; or
3. Without due authority supplies any ballot paper to any person; or
4. Fraudulently puts into any ballot box any paper other than the ballot paper which he is authorised by law to put in; or
5. Fraudulently takes out of the polling station any ballot paper; or
6. Without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the election;

shall be guilty of a misdemeanour, and be liable, if he is a returning officer or an officer or clerk in attendance at a polling station, to imprisonment for any term not exceeding two years, with or without hard labour, and if he is any other person, to imprisonment for any term not exceeding six months, with or without hard labour.

Any attempt to commit any offence specified in this section shall be punishable in the manner in which the offence itself is punishable.

In any indictment or other prosecution for an offence in relation to the nomination papers, ballot boxes, ballot papers, and marking instruments at an election, the property in such papers, boxes, and instruments may be stated to be in the returning officer at such election, as well as the property in the counterfoils.

4. *Infringement of secrecy.* Every officer, clerk, and agent in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting in such station, and shall not communicate, except for some purpose authorised by law, before the poll is closed, to any person any information as to the name or number on the register of voters of any elector who has or has not applied for a ballot paper or voted at that station, or as to the official mark, and no such officer, clerk, or agent, and no person whatsoever, shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station information as to the candidate for whom any voter in such station is about to vote or has voted, or communicate at any time to any person any information obtained in a polling station as to the candidate for whom any voter in such station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at such station. Every officer, clerk, and agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting, and shall not attempt to ascertain at such counting the number on the back of any ballot paper, or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper. No person shall directly or indirectly induce any voter to display his ballot paper after he shall have marked the same, so as to make known to any person the name of the candidate for or against whom he has so marked his vote.

Every person who acts in contravention of the provisions of this section shall be liable, on summary conviction before two justices of the peace, to imprisonment for any term not exceeding six months, with or without hard labour.

Amendment of Law.

5. *Division of counties and boroughs into polling districts.* The local authority (as herein-after defined) of every county shall by order, as soon as may be practicable after the passing of this Act, divide such county into polling

districts and assign a polling place to each district, in such manner that, so far as is reasonably practicable, every elector resident in the county shall have a polling place within a distance not exceeding four miles from his residence, so, nevertheless, that a polling district need not in any case be constituted containing less than one hundred registered electors.

The local authority (as herein-after defined) of every borough shall take into consideration the division of such borough into polling districts, and, if they think it desirable, by order, divide such borough into polling districts in such manner as they may think most convenient for taking the votes of the electors at a poll.

The local authority of every county and borough shall, on or before the first day of May one thousand eight hundred and seventy-three, send to one of her Majesty's Principal Secretaries of State, to be laid by him before both Houses of Parliament, a copy of any order made by such authority in pursuance of this section, and a report, in such form as he may require, stating how far the provisions of this Act with respect to polling districts have been complied with in their county or borough; and if they make any order after the first day of May one thousand eight hundred and seventy-three, with respect of polling districts or polling places in their county or borough, they shall send a copy of such order to the said Secretary of State, to be laid by him before both Houses of Parliament.

The local authority of a county or borough in this section means the authority having power to divide such county or borough into polling districts under section thirty-four of the Representation of the People Act, 1867, and any enactments amending that section; and such authority shall exercise the powers thereby given to them for the purposes of this section; and the provisions of the said section as to the local authority of a borough constituted by the combination of two or more municipal boroughs shall apply to a borough constituted by the combination of a municipal borough and other places, whether municipal boroughs or not; and in the case of a borough of which a town council is not the local authority, and which is not wholly situate within one petty sessional division, the justices of the peace for the county in which such borough or the larger part thereof in area is situate, assembled at some court of general or quarter sessions, or at some adjournment thereof, shall be the local authority thereof, and shall for this purpose have jurisdiction over the whole of such borough; and in the case of such borough and of a county, a court of general sessions shall be assembled within twenty-one days after the passing of this Act, and any such court may be assembled and adjourned from time to time for the purpose.

No election shall be questioned by reason of any non-compliance with this section or any informality relative to polling districts or polling places, and any order made by a local authority in relation to polling districts or polling places shall apply only to lists of voters made subsequently to its date, and to registers of voters formed out of such lists, and to elections held after the time at which a register of voters so formed has come into force: Provided that where any such order is made between the first day of July and the first day of November in any year, and does not create any new division between two or more polling districts of any parish for which a separate poor rate is or can be made, such order shall apply to the register of voters which comes into force next after such order is made, and to elections held after that register so comes into force; and the clerk of the peace or town clerk, as the case may be, shall copy, print, and arrange the lists of voters for the purpose of such register in accordance with such order.

6. *Use of school and public room for poll.* The returning officer at a parliamentary election may use, free of charge, for the purpose of taking the poll at such election, any room in a school receiving a grant out of moneys provided by Parliament and any room the expense of maintaining which is payable out of any local rate, but he shall make good any damage done to such room, and defray any expense incurred by the person or body of persons corporate or unincorporate, having control over the same on account of its being used for the purpose of taking the poll as aforesaid.

The use of any room in an unoccupied house for the purpose of taking the poll shall not render any person liable to be rated or to pay any rate for such house.

7. *Conclusiveness of register of voters.* At any election

for a county or borough, a person shall not be entitled to vote unless his name is on the register of voters for the time being in force for such county or borough, and every person whose name is on such register shall be entitled to demand and receive a ballot paper and to vote: Provided that nothing in this section shall entitle any person to vote who is prohibited from voting by any statute, or by the common law of Parliament, or relieve such person from any penalties to which he may be liable for voting.

Duties of Returning and Election Officers.

8. *General powers and duties of returning officer.]* Subject to the provisions of this Act, every returning officer shall provide such nomination papers, polling stations, ballot boxes, ballot papers, stamping instruments, copies of register of voters, and other things, appoint and pay such officers, and do such other acts and things as may be necessary for effectually conducting an election in manner provided by this Act.

All expenses properly incurred by any returning officer in carrying into effect the provisions of this Act, in the case of any parliamentary election shall be payable in the same manner as expenses incurred in the erection of polling booths at such election are by law payable.

Where the sheriff is returning officer for more than one county as defined for the purposes of parliamentary elections, he may, without prejudice to any other power, by writing under his hand, appoint a fit person to be his deputy for all or any of the purposes relating to an election in any such county, and may, by himself or such deputy, exercise any powers and do any things which the returning officer is authorised or required to exercise or do in relation to such election. Every such deputy, and also any under sheriff, shall, in so far as he acts as returning officer, be deemed to be included in the term returning officer in the provisions of this Act relating to parliamentary elections, and the enactments with which this part of this Act is to be construed as one.

9. *Keeping of order in station.]* If any person misconducts himself in the polling station, or fails to obey the lawful orders of the presiding officer, he may immediately, by order of the presiding officer, be removed from the polling station by any constable in or near that station, or any other person authorised in writing by the returning officer to remove him; and the person so removed shall not, unless with the permission of the presiding officer, again be allowed to enter the polling station during the day.

Any person so removed as aforesaid, if charged with the commission in such station of any offence, may be kept in custody until he can be brought before a justice of the peace.

Provided that the powers conferred by this section shall not be exercised so as to prevent any elector who is otherwise entitled to vote at any polling station from having an opportunity of voting at such station.

10. *Powers of presiding officer and administration of oaths, &c.]* For the purpose of the adjournment of the poll, and of every other enactment relating to the poll, a presiding officer shall have the power by law belonging to a deputy returning officer; and any presiding officer and any clerk appointed by the returning officer to attend at a polling station shall have the power of asking the questions and administering the oath authorised by law to be asked of and administered to voters, and any justice of the peace and any returning officer may take and receive any declaration authorised by this Act to be taken before him.

11. *Liability of officers for misconduct.]* Every returning officer, presiding officer, and clerk who is guilty of any wilful misfeasance or any wilful act or omission in contravention of this Act, shall, in addition to any other penalty or liability to which he may be subject, forfeit to any person aggrieved by such misfeasance, act or omission a penal sum not exceeding one hundred pounds.

30 & 31 *Vet. c. 102.]* Section fifty of the Representation of the People Act, 1867 (which relates to the acting of any returning officer, or his partner or clerk, as agent for a candidate), shall apply to any returning officer or officer appointed by him in pursuance of this Act, and to his partner or clerk.

Miscellaneous.

12. *Prohibition of disclosure of vote.]* No person who has voted at an election shall, in any legal proceeding to ques-

tion the election or return, be required to state for whom he has voted.

13. *Non-compliance with rules.]* No election shall be declared invalid by reason of a non-compliance with the rules contained in the First Schedule to this Act, or any mistake in the use of the forms in the Second Schedule to this Act, if it appears to the tribunal having cognizance of the question that the election was conducted in accordance with the principles laid down in the body of this Act, and that such non-compliance or mistake did not effect the result of the election.

14. *Use of municipal ballot boxes, &c., for parliamentary election, and vice versa.]* Where a parliamentary borough and municipal borough occupy the whole or any part of the same area, any ballot boxes or fittings for polling stations and compartments provided for such parliamentary borough or such municipal borough may be used in any municipal or parliamentary election in such borough free of charge, and any damage other than reasonable wear and tear caused to the same shall be paid as part of the expenses of the election at which they are so used.

15. *Construction of Act.]* This part of this Act shall, so far as is consistent with the tenor thereof, be construed as one with the enactments for the time being in force relating to the representation of the people, and to the registration of persons entitled to vote at the election of members to serve in Parliament, and with any enactments otherwise relating to the subject matter of this part of this Act, and terms used in this part of this Act, shall have the same meaning as in the said enactments; and in construing the said enactments relating to an election or to the poll or taking the votes by poll, the mode of election and of taking the poll established by this Act shall for the purposes of the said enactments be deemed to be substituted for the mode of election or poll, or taking the votes by poll, referred to in the said enactments; and any person applying for a ballot paper under this Act shall be deemed "to tender his vote," or "to assume to vote," within the meaning of the said enactments; and any application for a ballot paper under this Act, or expressions relative thereto, shall be equivalent to "voting" in the said enactments and any expressions relative thereto; and the term "polling booth" as used in the said enactments shall be deemed to include a polling station; and the term "proclamation" as used in the said enactments shall be deemed to include a public notice given in pursuance of this Act.

Application of part of Act to Scotland.

16. *Alterations for application of part I. to Scotland.]* This part of this Act shall apply to Scotland, subject to the following provisions:—

1. The expression "crime and offence" shall be equivalent to the expression "misdemeanour," and shall be substituted therefor;
2. All offences under this Act for which any person may be punished on summary conviction shall be prosecuted before the sheriff under the provisions of "The Summary Procedure Act, 1864;" and all jurisdictions, powers, and authorities necessary for that purpose are hereby conferred on sheriffs;
3. The expression "sheriff" shall include sheriff substitute;
4. The provisions of this Act relating to the division of counties and boroughs into polling districts shall not apply to Scotland;
5. The ballot boxes, ballot papers, stamping instruments, and other requisites for a parliamentary election shall be provided and paid for in the same manner as polling rooms or booths under the fortieth section of the Act of the second and third years of the reign of King William the Fourth, chapter sixty-five, intituled "An Act to amend the Representation of the People in Scotland;" and the reasonable remuneration of presiding officers, assistants, and clerks employed by the returning officer at such an election and all other expenses properly incurred by the returning officer, and by sheriff clerks and town clerks, in carrying into effect the provisions of this Act, shall be paid by the candidates; provided always, that if any person shall be proposed as a candidate without his consent the person so pro-

posing him shall be liable to defray his share of all those expenses in like manner as if he had been a candidate himself; provided also, that the fee to be paid to each presiding officer shall in no case exceed the sum of three guineas per day, and the fee to be paid to each assistant to the returning officer shall not exceed two guineas per day, and the fee to be paid to each clerk shall not exceed one guinea per day.

Application of part of Act to Ireland.

17. *Alterations for application of part I. to Ireland.*] This part of this Act shall apply to Ireland, subject to the following modifications:—

1. The expression "Clerk of the Crown in Chancery" shall mean the Clerk of the Crown and Hanaper in Ireland;
2. The preceding provisions of this part of this Act with respect to the division of counties and boroughs into polling districts shall not extend to Ireland;
3. In the construction of the preceding provisions of this part of this Act as applying to Ireland, section thirteen of "The Representation of the People (Ireland) Act, 1868," shall be substituted for section fifty of "The Representation of the People Act, 1867," wherever in such provisions the said last-mentioned section occurs. The provision contained in the sixth section of this Act providing for the use of school-rooms free of charge, for the purpose of taking the poll at elections, shall not apply to any school adjoining or adjacent to any church or other place of worship, nor to any school connected with a nunnery or other religious establishment;
4. No returning officer shall be entitled to claim, or be paid, any sum or sums of money for the erection of polling booths or stations and compartments other than the sum or sums actually and necessarily incurred and paid by him in reference to the same, any statute or statutes to the contrary now in force notwithstanding, nor shall the expenses of providing sufficient polling stations or booths and compartments at every polling place exceed the sum or sums now given and allowed by statute in Ireland.
18. *Provisions as to polling districts and polling places in Ireland.*] With respect to polling districts and polling places in Ireland, the following regulations shall have effect; that is to say,
 1. The Lord Lieutenant, by and with the advice of the Privy Council in Ireland, shall appoint special sessions to be held by the chairman of quarter sessions and justices of the peace having jurisdiction in each county or riding of a county in Ireland, at such places and times before the first day of November next after the passing of this Act as shall seem fit for the purpose of dividing such county or riding into polling districts and appointing polling places for such districts;
 2. The clerk of the said Privy Council shall cause each such appointment to be notified to the clerk of the peace of the county to which the same relates, and shall cause notice of the same to be published twice in each of two consecutive weeks in one or more newspapers usually circulated in such county, and once in the Dublin Gazette;
 3. The clerk of the peace of each county in Ireland shall, within five days after the receipt of such notification as aforesaid send a written or printed notice of the same to the chairman and to every justice of the peace having jurisdiction within the county or riding to which the same relates;
 4. The chairman of quarter sessions and the justices of the peace having jurisdiction in any county or riding assembled at such special sessions appointed in manner aforesaid, or at any adjournment of the same before the first day of December next after the passing of this Act, shall make an order dividing such county or riding of a county into polling districts, and appointing in each such polling district a place (in this section referred to as a "polling

place") for taking the poll at contested elections of members to serve in Parliament for such county:

5. Every such division shall be made in such manner so that, as far as practicable, every building or place in such county in which petty sessions are at the time of the passing of this Act held shall be a polling place: Provided always, that where it appears to the chairman and justices assembled at special sessions, that for the purpose of affording full facilities for taking the poll at contested elections, there should be polling places in addition to such buildings or places where petty sessions are held as aforesaid, they shall appoint so many polling places in addition to such buildings or places as they may think necessary, and constitute a polling district for each such polling place;
6. Every such order shall specify the barony or baronies, half barony or half baronies, townland or townlands, parish or parishes, and places constituting each such polling district;
7. A copy of every such order shall forthwith be sent by the clerk of the peace for such county to the clerk of the said Privy Council, who thereupon shall submit the same for confirmation by the Lord Lieutenant and Privy Council in Ireland, in the manner by this Act provided, and such order shall not be of any validity until the same has been so confirmed;
8. Notice of the intended confirmation of any such order shall be given by the clerk of the said Privy Council at least one month before the day fixed for such confirmation by the publication of such notice and order in one or more newspapers circulating within such county or riding to which the order has reference;
9. It shall be lawful for the Lord Lieutenant and Privy Council, on the day fixed for the intended confirmation of any such order, to confirm the same as it stands, or with such variation, alteration, or modification as may seem fit: Provided always, that where any person is dissatisfied with any such order it shall be lawful for such person, within fourteen days after the publication of the notice of the intended confirmation of such order, to appeal against the same, and such appeal shall be in writing, stating the grounds thereof, and shall be signed by such person, and shall within such time be lodged with the clerk of the Privy Council; and it shall be lawful for the Lord Lieutenant and Privy Council, previous to the confirmation of any such order, to hear and determine such appeal against the same, and to make such order as to the costs of such appeal as may seem meet;
10. When any such order has been confirmed as aforesaid, the clerk of the said Privy Council shall transmit a copy of the same to the clerk of the peace of the county to which the same relates, and shall cause the same to be published once in the Dublin Gazette, and once in the newspaper in which the notice of intended confirmation was published;
11. The provisions of the Act of the session of the twenty-seventh and twenty-eighth years of the reign of Her present Majesty, chapter twenty-two, for ascertaining the voters in the new or altered polling districts referred to in the ninth section of the said Act, and for making separate lists of voters, and otherwise in relation thereto, shall extend and apply to every case in which any order in relation to any county has been confirmed under the authority of this section, in like manner as if such sections were herein re-enacted, and the polling districts to which the same refer or apply had been polling districts constituted under the authority of this section; and the register of voters in force in such county at the time of confirming such order as amended by the printed books given into the custody of the sheriff of such county in manner by the said Act provided, and the said printed books, shall be the register of persons entitled to vote at any election of a member or members to serve in Parliament which shall take place in and for such county until the first day of January next after the giving of the said books as

aforsaid: Provided always, that in the construction of the said provisions, the terms "the passing of this Act" and the "said Act" shall respectively be construed to mean the confirming of any order made under the authority of this section and this Act:

12. At any election of a member or members to serve in Parliament for any county to which any such order relates held after the confirming of any such order, and before the register of voters to be formed subsequently to the date of the confirming of such order under the provisions of this section, shall be in force, the poll shall be taken as if no such order had been made:
13. All precepts, notices, and forms relating to the registration of voters shall be framed and expressed in such manner and form as may be necessary for the carrying the provisions of this Act into effect:
14. When the chairman of quarter sessions and justices of the peace having jurisdiction in any county or riding, in Ireland, assembled at any general or quarter sessions in any division of such county or riding, are of opinion that for the purpose of affording further facilities for polling at contested elections there should be within such district polling places in addition to the places appointed in manner aforesaid, they may by resolution determine that at the next general or quarter sessions in such division of such county the necessity for such additional polling places shall be considered by the chairman and justices assembled at the same:
15. The clerk of the peace of such county shall, within five days after the making of such resolution, send a written or printed copy of the same to the chairman and to every justice of the peace having jurisdiction within the county to which the same relate, and shall cause a copy of such resolution to be published twice in each of two consecutive weeks in some newspaper circulated in such county:
16. The said chairman and justices assembled at such general or quarter sessions holden next after the making of such resolution shall consider whether additional polling places are necessary, and if they are of such opinion they may, by an order to be made in like manner and subject to the same provisions as to the making, confirming, and taking effect of the same as are in this section contained in relation to orders to be made at special sessions under the authority of the same, appoint such other places to be polling places as they shall think fit, and shall constitute polling districts for such polling places:
17. No election shall be questioned by reason of any polling district not having been constituted in conformity with the provisions of this Act, or by reason of any informality relative to any polling district:
18. When any day fixed for taking the poll at any election is the day fixed for the holding of the petty sessions court at any polling place, the court shall stand ipso facto adjourned till the next day, which shall in that case be the legal day for holding said court, and if that day be a Sunday or legal holiday, till the next day:
19. The term "the Lord Lieutenant in this section shall mean the Lord Lieutenant of Ireland and the lords justices or other chief governors or governor of Ireland for the time being, and the term "chairman of quarter sessions" in this section shall include any person duly appointed to do the duty of such chairman during his sickness or absence.

19. *Amendment of law as to voting in wards in certain boroughs.* Where the name of any person is required to be inserted in any list of voters for any ward of any city, town, or borough, under the provisions of section seven of the Act passed in the session of Parliament held in the thirteenth and fourteenth years of the reign of Her Majesty, chapter sixty-eight, as qualified in respect of any property qualification, or as the occupier of any lands, tenements, or hereditaments situate in whole or in part beyond the limits of such ward, then and in every such case the names so required to be inserted shall be placed in alphabetical order in a separate part of such list to be styled "the list of

rural or out voters of such ward," and the property, lands, tenements, and hereditaments in respect of which such person is qualified as aforesaid shall for the purposes of the said Act and the Acts amending the same, in relation to the providing of booths and compartments within each ward of any city, town, or borough, and the voting therein of persons entitled to vote in respect of any such qualifications aforesaid, be deemed to constitute a separate ward: Provided always, that the name of any such person shall not be placed in such separate list if such person shall, in writing under his hand, object thereto, and if such objection is delivered to such clerk of the peace on or before the twenty-fifth day of August next preceding the making of such list under the provisions aforesaid, and in such case in relation to such person the provisions of this section shall not apply.

PART III.

MUNICIPAL ELECTIONS.

20. *Application to municipal election of enactments relating to the poll at parliamentary elections.* The poll at every contested municipal election shall, so far as circumstances admit, be conducted in the manner in which the poll is by this Act directed to be conducted at a contested parliamentary election, and, subject to the modifications expressed in the schedules annexed hereto, such provisions of this Act and of the said schedules as relate to or are concerned with a poll at a parliamentary election shall apply to a poll at a contested municipal election: Provided as follows:

1. The term "returning officer" shall mean the mayor or other officer who, under the law relating to municipal elections, presides at such elections:
2. The term "petition questioning the election or return" shall mean any proceeding in which a municipal election can be questioned:
3. The mayor shall provide everything which in the case of a parliamentary election is required to be provided by the returning officer for the purpose of a poll:
4. All expenses shall be defrayed in manner provided by law with respect to the expenses of a municipal election:
5. No return shall be made to the Clerk of the Crown in Chancery:
6. Nothing in this Act shall be deemed to authorise the appointment of any agents of a candidate in a municipal election, but if in the case of a municipal election any agent of a candidate is appointed, and a notice in writing of such appointment is given to the returning officer, the provisions of this Act with respect to agents of candidates shall, so far as respects such agent, apply in the case of that election:
7. The provisions of this Act with respect to—
 - (a.) The voting of a returning officer; and
 - (b.) The use of a room for taking a poll; and
 - (c.) The right to vote of persons whose names are on the register of voters;shall not apply in the case of a municipal election.

A municipal election shall, except in so far as relates to the taking of the poll in the event of its being contested, be conducted in the manner in which it would have been conducted if this Act had not passed.

21. *Abolition of ward assessors.* Assessors shall not be elected in any ward of any municipal borough, and a municipal election need not be held before the assessors or their deputies, but may be held before the mayor, aldermen, or other returning officer only.

Application of part of Act to Scotland.

22. *Alterations for application of Part II. to Scotland.* This part of this Act shall apply to Scotland, subject to the following provisions:

1. The term "mayor" shall mean the provost or other chief magistrate of a municipal borough, as defined by this Act:
2. All municipal elections shall be conducted in the same manner in all respects in which elections of councillors in the royal burghs contained in Schedule C, to the Act of the session of the third and fourth

years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to alter and amend the laws for the election of the Magistrates and Councillors of the Royal Burghs in Scotland," are directed to be conducted by the Acts in force at the time of the passing of this Act as amended by this Act; and all such Acts shall apply to such elections accordingly.

Application of Part of Act to Ireland.

23. *Alterations for application of Part II. to Ireland.* This part of this Act shall apply to Ireland, with the following modifications:—

(1.) The term "mayor" shall include the chairman of commissioners, chairman of municipal commissioners, chairman of town commissioners, and chairman of township commissioners:

(2.) 22 *Vict. c. 35.* The provisions of "The Municipal Corporation Act, 1859," following; that is to say, section five and section six, and section seven except so much thereof as relates to the form of nomination papers, and section eight except so much thereof as relates to assessors, shall extend and apply to every municipal borough in Ireland, and shall be substituted for any provisions in force in relation to the nomination at municipal elections: Provided always, that the term "councillor" in these sections shall for the purposes of this section include alderman, commissioner, municipal commissioner, town commissioner, township commissioner, or assessor of any municipal borough.

PART III.

PERSONATION.

24. *Definition and punishment of personation.* The following enactments shall be made with respect to personation at parliamentary and municipal elections:

A person shall for all purposes of the laws relating to parliamentary and municipal elections be deemed to be guilty of the offence of personation who at an election for a county or borough, or at a municipal election, applies for a ballot paper in the name of some other person, whether that name be that of a person living or dead or of a fictitious person, or who having voted once at any such election applies at the same election for a ballot paper in his own name.

The offence of personation, or of aiding, abetting, counselling, or procuring the commission of the offence of personation by any person, shall be a felony, and any person convicted thereof shall be punished by imprisonment for a term not exceeding two years together with hard labour. It shall be the duty of the returning officer to institute a prosecution against any person whom he may believe to have been guilty of personation, or of aiding, abetting, counselling, or procuring the commission of the offence of personation by any person, at the election for which he is returning officer, and the costs and expenses of the prosecutor and the witnesses in such case, together with compensation for their trouble and loss of time, shall be allowed by the court in the same manner in which courts are empowered to allow the same in cases of felony.

The provisions of the Registration Acts, specified in the Third Schedule to this Act, shall in England and Ireland respectively apply to personation under this Act in the same manner as they apply to a person who knowingly personates and falsely assumes to vote in the name of another person as mentioned in the said Acts.

The offence of personation shall be deemed to be a corrupt practice within the meaning of the Parliamentary Elections Act, 1868.

If, on the trial of any election petition questioning the election or return for any county or borough, any candidate is found by the report of the judge by himself or his agents to have been guilty of personation, or by himself or his agents to have aided, abetted, counselled, or procured the commission at such election of the offence of personation by any person, such candidate shall be incapable of being elected or sitting in parliament for such county or borough during the Parliament then in existence.

25. *Vote to be struck off for bribery, treating, or undue influence.* Where a candidate, on the trial of an election petition claiming the seat for any person, is proved to have been guilty by himself or by any person on his behalf, of bribery, treating, or undue influence in respect of any person who voted at such election, or where any person retail-

ned or employed for reward by or on behalf of such candidate for all or any of the purposes of such election, as agent clerk, messenger, or in any other employment, is proved on such trial to have voted at such election, there shall, on a scrutiny, be struck off from the number of votes appearing to have been given to such candidate one vote for every person who voted at such election and is proved to have been so bribed, treated, or unduly influenced, or so retained or employed for reward as aforesaid.

26. *Alterations in Act as applying to Scotland.* This part of this Act shall apply to Scotland, subject to the following provision:—

The offence of personation shall be deemed to be a crime and offence, and the rules of the law of Scotland, with respect to apprehension, detention, precognition, commitment, and bail shall apply thereto, and any person accused thereof may be brought to trial in the court of judicatory, whether in Edinburgh or on circuit, at the instance of the Lord Advocate, or before the sheriff court, at the instance of the procurator-fiscal.

27. *Construction of part of Act.* This part of this Act, so far as regards parliamentary elections, shall be construed as one with "The Parliamentary Elections Act, 1868," and shall apply to an election for a university or combination of universities.

PART IV.

MISCELLANEOUS.

28. *Effect of schedules.* The schedules to this Act, and the notes thereto, and directions therein, shall be construed and have effect as part of this Act.

29. *Definitions.* In this Act—

"Municipal borough." The expression "municipal borough" means any place for the time being subject to the Municipal Corporation Acts, or any of them:

"Municipal Corporation Acts." The expression "Municipal Corporation Acts" means—

(a.) As regards England, the Act of the session of the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to provide for the regulation of municipal corporations in England and Wales," and the Acts amending the same:

(b.) As regards Scotland, the Act of the session of the third and fourth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to alter and amend the laws for the election of Magistrates and Councillors of the Royal Burghs in Scotland," and the Act of the same session, chapter seventy-seven, intituled "An Act to provide for the appointment and election of Magistrates and Councillors for the several burghs and Towns of Scotland which now return or contribute to return Members to Parliament, and are not Royal Burghs," and the Act of the session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter thirty-three, intituled "An Act to make more effectual provision for regulating the police of Towns and populous Places in Scotland, and for paving, draining, cleansing, lighting, and improving the same;" and "The General Police and Improvement (Scotland) Act, 1862," and any Acts amending the same:

(c.) As regards Ireland, the Act of the session of the third and fourth years of the reign of Her present Majesty, chapter one hundred and eight, intituled "An Act for the Regulation of Municipal Corporations in Ireland," the Act of the ninth year of George the Fourth, chapter eighty-two, The Towns Improvement (Ireland) Act, 1854, and every local and personal Act providing for the election of commissioners in any towns or places for purposes similar to the purposes of the said Acts.

"Municipal election." The expression "municipal election" means—

(a.) As regards England, an election of any person to serve the office of councillor, auditor, or assessor of any municipal borough, or of councillor for a ward of a municipal borough; and

(b.) As regards Scotland, an election of any person to serve the office of councillor or commissioner of any municipal borough, or of a ward or district of any municipal borough:

- (c.) As regards Ireland, an election of any person to serve the office of alderman, councillor, commissioner, municipal commissioner, town commissioner, township commissioner, or assessor of any municipal borough.

30. *Application of Act.*] This Act shall apply to any parliamentary or municipal election which may be held after the passing thereof.

31. *Saving.*] Nothing in this Act, except Part III. thereof, shall apply to any election for a university or combination of universities,

Repeal.

32. *Repeal of Acts in schedules.*] The Acts specified in the fourth, fifth, and sixth schedules to this Act, to the extent specified in the third column of those schedules, and all other enactments inconsistent with this Act, are hereby repealed.

Provided that this repeal shall not affect—

- (a.) Anything duly done or suffered under any enactment hereby repealed; or
- (b.) Any right or liability acquired, accrued, or incurred under any enactment hereby repealed; or
- (c.) Any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment hereby repealed; or
- (d.) Any investigation, legal proceeding, or remedy in respect of any such right, liability, penalty, forfeiture, or punishment as aforesaid; and any such investigation, legal proceeding, and remedy may be carried on as if this Act had not passed.

33. *Short title.*] This Act may be cited as The Ballot Act, 1872, and shall continue in force till the thirty-first day of December one thousand eight hundred and eighty, and no longer, unless Parliament shall otherwise determine; and on the said day the Acts in the fourth, fifth, and sixth schedules shall be thereupon revived; provided that such revival shall not affect any act done, any rights acquired, any liability or penalty incurred, or any proceeding pending under this Act, but such proceeding shall be carried on as if this Act had continued in force.

SCHEDULES.

FIRST SCHEDULE.

PART I.

RULES FOR PARLIAMENTARY ELECTIONS.

Election.

1. The returning officer shall, in the case of a county election, within two days after the day on which he receives the writ, and in the case of a borough election, on the day on which he receives the writ or the following day, give public notice, between the hours of nine in the morning and four in the afternoon, of the day on which and the place at which he will proceed to an election, and of the time appointed for the election, and of the day on which the poll will be taken in case the election is contested, and of the time and place at which forms of nomination papers may be obtained, and in the case of a county election shall send one of such notices by post, under cover, to the postmaster of the principal post office of each polling place in the county, endorsed with the words "Notice of election," and the same shall be forwarded free of charge; and the postmaster receiving the same shall forthwith publish the same in the manner in which post office notices are usually published.

2. The day of election shall be fixed by the returning officer as follows; that is to say, in the case of an election for a county or a district borough not later than the ninth day after the day on which he receives the writ, with an interval of not less than three clear days between the day on which he gives the notice and the day of election; and in the case of an election for any borough other than a district borough not later than the fourth day after the day on which he receives the writ, with an interval of not less than two clear days between the day on which he gives the notice and the day of election.

3. The place of election shall be a convenient room situate in the town in which such election would have been held if this Act had not passed, or where the election would not have been held in a town, then situate in such town in the county as the returning officer may from time to time

determine as being in his opinion most convenient for the electors.

4. The time appointed for the election shall be such two hours between the hours of ten in the forenoon and three in the afternoon as may be appointed by the returning officer, and the returning officer shall attend during those two hours and for one hour after.

5. Each candidate shall be nominated by a separate nomination paper, but the same electors or any of them may subscribe as many nomination papers as there are vacancies to be filled, but no more.

6. Each candidate shall be described in the nomination paper in such manner as in the opinion of the returning officer is calculated to sufficiently identify such candidate; the description shall include his names, his abode, and his rank, profession, or calling, and his surname shall come first in the list of his names. No objection to a nomination paper on the ground of the description of the candidate therein being insufficient, or not being in compliance with this rule, shall be allowed or deemed valid, unless such objection is made by the returning officer, or by some other person, at or immediately after the time of the delivery of the nomination paper.

7. The returning officer shall supply a form of nomination paper to any registered elector requiring the same during such two hours as the returning officer may fix, between the hours of ten in the morning and two in the afternoon on each day intervening between the day on which notice of the election was given and the day of election, and during the time appointed for the election; but nothing in this Act shall render obligatory the use of a nomination paper supplied by the returning officer, so, however, that the paper be in the form prescribed by this Act.

8. The nomination papers shall be delivered to the returning officer at the place of election during the time appointed for the election; and the candidate nominated by each nomination paper, and his proposer and seconder, and one other person selected by the candidate, and no person other than aforesaid, shall, except for the purpose of assisting the returning officer, be entitled to attend the proceedings during the time appointed for the election.

9. If the election is contested, the returning officer shall, as soon as practicable after adjourning the election, give public notice of the day on which the poll will be taken, and of the candidates described as in their respective nomination papers, and of the names of the persons who subscribe the nomination paper of each candidate, and of the order in which the names of the candidates will be printed in the ballot paper, and in the case of an election for a county, deliver to the postmaster of the principal post office of the town in which is situate the place of election a paper, signed by himself, containing the names of the candidates nominated, and stating the day on which the poll is to be taken, and the postmaster shall forward the information contained in such paper by telegraph, free of charge, to the several postal telegraph offices situate in the county for which the election is to be held, and such information shall be published forthwith at each such office in the manner in which post office notices are usually published.

10. If any candidate nominated during the time appointed for the election is withdrawn in pursuance of this Act, the returning officer shall give public notice of the name of such candidate, and the names of the persons who subscribed the nomination paper of such candidate, as well as of the candidates who stood nominated or were elected.

11. The returning officer shall, on the nomination paper being delivered to him, forthwith publish notice of the name of the person nominated as a candidate, and of the names of his proposer and seconder, by placarding or causing to be placarded the names of the candidate and his proposer and seconder in a conspicuous position outside the building in which the room is situate appointed for the election.

12. A person shall not be entitled to have his name inserted in any ballot paper as a candidate unless he has been nominated in manner provided by this Act, and every person whose nomination paper has been delivered to the returning officer during the time appointed for the election shall be deemed to have been nominated in manner provided by this Act, unless objection be made to his nomina-

tion paper by the returning officer or some other person before the expiration of the time appointed for the election or within one hour afterwards.

13. The returning officer shall decide on the validity of every objection made to a nomination paper, and his decision, if disallowing the objection, shall be final; but if allowing the same, shall be subject to reversal on petition questioning the election or return.

The Poll.

14. The poll shall take place on such day as the returning officer may appoint, not being in the case of an election for a county or a district borough less than two, nor more than six clear days, and not being in the case of an election for a borough other than a district borough more than three clear days after the day fixed for the election.

15. At every polling place the returning officer shall provide a sufficient number of polling stations for the accommodation of the electors entitled to vote at such polling place, and shall distribute the polling stations amongst those electors in such manner as he thinks most convenient, provided that in a district borough there shall be at least one polling station at each contributory place of such borough.

16. Each polling station shall be furnished with such number of compartments, in which the voters can mark their votes screened from observation, as the returning officer thinks necessary, so that at least one compartment be provided for every one hundred and fifty electors entitled to vote at such polling station.

17. A separate room or separate booth may contain a separate polling station, or several polling stations may be constructed in the same room or booth.

18. No person shall be admitted to vote at any polling station except the one allotted to him.

19. The returning officer shall give public notice of the situation of polling stations and the description of voters entitled to vote at each station, and of the mode in which electors are to vote.

20. The returning officer shall provide each polling station with materials for voters to mark the ballot papers, with instruments for stamping thereon the official mark, and with copies of the register of voters, or such part thereof as contains the names of the voters allotted to vote at such station. He shall keep the official mark secret, and an interval of not less than seven years shall intervene between the use of the same official mark at elections for the same county or borough.

21. The returning officer shall appoint a presiding officer to preside at each station, and the officer so appointed shall keep order at his station, shall regulate the number of electors to be admitted at a time, and shall exclude all other persons except the clerks, the agents of the candidates, and the constables on duty.

22. Every ballot paper shall contain a list of the candidates described as in their respective nomination papers, and arranged alphabetically in the order of their surnames, and (if there are two or more candidates with the same surname) of their other names: it shall be in the form set forth in the Second Schedule to this Act or as near thereto as circumstances admit, and shall be capable of being folded up.

23. Every ballot box shall be so constructed that the ballot papers can be introduced therein but cannot be withdrawn therefrom, without the box being unlocked. The presiding officer at any polling station, just before the commencement of the poll, shall show the ballot box empty to such persons, if any, as may be present in such station, so that they may see that it is empty, and shall then lock it up, and place his seal upon it in such manner as to prevent its being opened without breaking such seal, and shall place it in his view for the receipt of ballot papers, and keep it so locked and sealed.

24. Immediately before a ballot paper is delivered to an elector, it shall be marked on both sides with the official mark, either stamped or perforated, and the number, name, and description of the elector as stated in the copy of the register shall be called out, and the number of such elector shall be marked on the counterfoil, and a mark shall be placed in the register against the number of the elector, to denote that he has received a ballot paper, but without showing the particular ballot paper which he has received

25. The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station, and there mark his paper, and fold it up so as to conceal his vote, and shall then put his ballot paper, so folded up, into the ballot box; he shall vote without undue delay, and shall quit the polling station as soon as he has put his ballot paper into the ballot box.

26. The presiding officer, on the application of any voter who is incapacitated by blindness or other physical cause from voting in manner prescribed by this Act, or (if the poll be taken on Saturday) of any voter who declares that he is of the Jewish persuasion, and objects on religious grounds to vote in manner prescribed by this Act, or of any voter who makes such a declaration as herein-after mentioned that he is unable to read, shall, in the presence of the agents of the candidates, cause the vote of such voter to be marked on a ballot paper in manner directed by such voter, and the ballot paper to be placed in the ballot box, and the name and number on the register of voters of every voter whose vote is marked in pursuance of this rule, and the reason why it is so marked, shall be entered on a list, in this Act called "the list of votes marked by the presiding officer."

The said declaration, in this Act referred to as "the declaration of inability to read," shall be made by the voter at the time of polling, before the presiding officer, who shall attest it in the form hereinafter mentioned, and no fee, stamp or other payment shall be charged in respect of such declaration, and the said declaration shall be given to the presiding officer at the time of voting.

27. If a person, representing himself to be a particular elector named on the register, applies for a ballot paper after another person has voted as such elector, the applicant shall, upon duly answering the questions and taking the oath permitted by law to be asked of and to be administered to voters at the time of polling, be entitled to mark a ballot paper in the same manner as any other voter, but the ballot paper (in this Act called a tendered ballot paper) shall be of a colour differing from the other ballot papers, and instead of being put into the ballot box, shall be given to the presiding officer and endorsed by him with the name of the voter and his number in the register of voters, and set aside in a separate packet and shall not be counted by the returning officer. And the name of the voter and his number on the register shall be entered on a list, in this Act called the tendered votes list.

28. A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper, may, on delivering to the presiding officer the ballot paper so inadvertently dealt with, and proving the fact of the inadvertence to the satisfaction of the presiding officer, obtain another ballot paper in the place of the ballot paper so delivered up (in this Act called a spoilt ballot paper), and the spoilt ballot paper shall be immediately cancelled.

29. The presiding officer of each station, as soon as practicable after the close of the poll, shall, in the presence of the agents of the candidates, make up into separate packets sealed with his own seal and the seals of such agents of the candidates as desire to affix their seals,—

- (1.) Each ballot box in use at his station, unopened but with the key attached; and
- (2.) The unused and spoilt ballot papers, placed together; and
- (3.) The tendered ballot papers; and
- (4.) The marked copies of the register of voters, and the counterfoils to the ballot papers; and
- (5.) The tendered votes list and the list of votes marked by the presiding officer, and a statement of the number of the voters whose votes are so marked by the presiding officer under the heads "physical incapacity," "Jews," and "unable to read," and the declarations of inability to read;

and shall deliver such packets to the returning officer.

30. The packets shall be accompanied by a statement made by such presiding officer, showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot box, unused, spoilt and tendered ballot papers, which statement is in this Act, referred to as the ballot paper account.

Counting Votes.

31. The candidates may respectively appoint agents to attend the counting of the votes.

32. The returning officer shall make arrangements for counting the votes in the presence of the agents of the candidates as soon as practicable after the close of the poll, and shall give to the agents of the candidates appointed to attend at the counting of the votes notice in writing of the time and place at which he will begin to count the same.

33. The returning officer, his assistants and clerks, and the agents of the candidates, and no other person, except with the sanction of the returning officer, may be present at the counting of the votes.

34. Before the returning officer proceeds to count the votes, he shall, in the presence of the agents of the candidates, open each ballot box, and, taking out the papers therein, shall count and record the number thereof, and then mix together the whole of the ballot papers contained in the ballot boxes. The returning officer, while counting and recording the number of ballot papers and counting the votes, shall keep the ballot papers with their faces upwards, and take all proper precautions for preventing any person from seeing the numbers printed on the backs of such papers.

35. The returning officer shall, so far as practicable, proceed continuously with counting the votes, allowing only time for refreshment, and excluding (except so far as he and the agents otherwise agree) the hours between seven o'clock at night and nine o'clock on the succeeding morning. During the excluded time the returning officer shall place the ballot papers and other documents relating to the election under his own seal and the seals of such of the agents of the candidates as desire to affix their seals, and shall otherwise take proper precautions for the security of such papers and documents.

36. The returning officer shall endorse "rejected" on any ballot paper which he may reject as invalid, and shall add to the endorsement "rejection objected to," if an objection be in fact made by any agent to his decision. The returning officer shall report to the Clerk of the Crown in Chancery the number of ballot papers rejected and not counted by him under the several heads of—

1. Want of official mark;
2. Voting for more candidates than entitled to;
3. Writing or mark by which voter could be identified;
4. Unmarked or void for uncertainty;

and shall on request allow any agents of the candidates, before such report is sent, to copy it.

37. Upon the completion of the counting, the returning officer shall seal up in separate packets the counted and rejected ballot papers. He shall not open the sealed packet of tendered ballot papers or marked copy of the register of voters and counterfoils, but shall proceed, in the presence of the agents of the candidates, to verify the ballot paper account given by each presiding officer by comparing it with the number of ballot papers recorded by him as aforesaid, and the unused and spoilt ballot papers in his possession and the tendered votes list, and shall reseal each sealed packet after examination. The returning officer shall report to the Clerk of the Crown in Chancery the result of such verification, and shall, on request, allow any agents of the candidates, before such report is sent, to copy it.

38. Lastly, the returning officer shall forward to the Clerk of the Crown in Chancery (in manner in which the poll books are by any existing enactment required to be forwarded to such clerk, or as near thereto as circumstances admit) all the packets of ballot papers in his possession, together with the said reports, the ballot paper accounts, tendered votes lists, lists of votes marked by the presiding officer, statements relating thereto, declarations of inability to read, and packets of counterfoils, and marked copies of registers, sent by each presiding officer, endorsing on each packet a description of its contents and the date of the election to which they relate, and the name of the county or borough for which such election was held; and the term poll book in any such enactment shall be construed to include any document forwarded in pursuance of this rule.

39. The Clerk of the Crown shall retain for a year all documents relating to an election forwarded to him in pursuance of this Act by a returning officer, and then, unless otherwise directed by an order of the House of Commons, or

of one of Her Majesty's Superior Courts, shall cause them to be destroyed.

40. No person shall be allowed to inspect any rejected ballot papers in the custody of the Clerk of the Crown in Chancery, except under the order of the House of Commons or under the order of one of Her Majesty's Superior Courts, to be granted by such court on being satisfied by evidence on oath that the inspection or production of such ballot papers is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a petition questioning an election or return; and any such order for the inspection or production of ballot papers may be made subject to such conditions as to persons, time, place, and mode of inspection or production as the House or court making the same may think expedient, and shall be obeyed by the Clerk of the Crown in Chancery. Any power given to a court by this rule may be exercised by any judge of such court at chambers.

41. No person shall, except by order of the House of Commons or any tribunal having cognizance of petitions complaining of undue returns or undue elections, open the sealed packet of counterfoils after the same has been once sealed up, or be allowed to inspect any counted ballot papers in the custody of the Clerk of the Crown in Chancery; such order may be made subject to such condition as to persons, time, place, and mode of opening or inspection as the House or tribunal making the order may think expedient, provided that on making and carrying into effect any such order, care shall be taken that the mode in which any particular elector has voted shall not be discovered until he has been proved to have voted, and his vote has been declared by a competent court to be invalid.

42. All documents forwarded by a returning officer in pursuance of this Act to the Clerk of the Crown in Chancery, other than ballot papers and counterfoils, shall be open to public inspection at such time and under such regulations as may be prescribed by the Clerk of the Crown in Chancery, with the consent of the Speaker of the House of Commons, and the Clerk of the Crown shall supply copies of or extracts from the said documents to any person demanding the same, on payment of such fees and subject to such regulations as may be sanctioned by the Treasury.

43. Where an order is made for the production by the Clerk of the Crown in Chancery of any document in his possession relating to any specified election, the production by such clerk or his agent of the document ordered, in such manner as may be directed by such order, or by a rule of the court having power to make such order, shall be conclusive evidence that such document relates to the specified election; and any endorsement appearing on any packet of ballot papers produced by such Clerk of the Crown or his agent shall be evidence of such papers being what they are stated to be by the endorsement. The production from proper custody of a ballot paper purporting to have been used at any election, and of a counterfoil marked with the same printed number marked thereon in writing, shall be *prima facie* evidence that the person who voted by such ballot paper was the person who at the time of such election had affixed to his name in the register of voters at such election the same number as the number written on such counterfoil.

General Provisions.

44. The return of a member or members elected to serve in Parliament for any county or borough shall be made by a certificate of the names of such member or members under the hand of the returning officer endorsed on the writ of election for such county or borough, and such certificate shall have effect and be dealt with in like manner as the return under the existing law, and the returning officer may, if he think fit, deliver the writ with such certificate endorsed to the postmaster of the principal post office of the place of election, or his deputy, and in that case he shall take a receipt from the postmaster or his deputy for the same; and such postmaster or his deputy shall then forward the same by the first post, free of charge, under cover, to the Clerk of the Crown, with the words "Election Writ and Return" endorsed thereon.

45. The returning officer shall, as soon as possible, give

public notice of the names of the candidates elected, and, in the case of a contested election, of the total number of votes given for each candidate, whether elected or not.

46. Where the returning officer is required or authorised by this Act to give any public notice, he shall carry such requirement into effect by advertisements, placards, handbills, or such other means as he thinks best calculated to afford information to the electors.

47. The returning officer may, if he think fit, preside at any polling station, and the provisions of this Act relating to a presiding officer shall apply to such returning officer with the necessary modifications as to things to be done by the returning officer to the presiding officer, or the presiding officer to the returning officer.

48. In the case of a contested election for any county or borough, the returning officer may, in addition to any clerks, appoint competent persons to assist him in counting the votes.

49. No person shall be appointed by a returning officer for the purpose of an election who has been employed by any other person in or about the election.

50. The presiding officer may do, by the clerks appointed to assist him, any act which he is required or authorised to do by this Act at a polling station except ordering the arrest, exclusion, or ejection from the polling station of any person.

51. A candidate may himself undertake the duties which any agent of his if appointed might have undertaken, or may assist his agent in the performance of such duties, and may be present at any place at which his agent may, in pursuance of this Act, attend.

52. The name and address of every agent of a candidate appointed to attend the counting of the votes shall be transmitted to the returning officer one clear day at the least before the opening of the poll; and the returning officer may refuse to admit to the place where the votes are counted any agent whose name and address has not been so transmitted, notwithstanding that his appointment may be otherwise valid, and any notice required to be given to an agent by the returning officer may be delivered at or sent by post to such address.

53. If any person appointed an agent by a candidate for the purposes of attending at the polling station or at the counting of the votes dies, or becomes incapable of acting during the time of the election, the candidate may appoint another agent in his place, and shall forthwith give to the returning officer notice in writing of the name and address of the agent so appointed.

54. Every returning officer, and every officer, clerk, or agent authorised to attend at a polling station, or at the counting of the votes shall, before the opening of the poll, make a statutory declaration of secrecy, in the presence, if he is the returning officer of a justice of the peace, and if he is any other officer or an agent, of a justice of the peace or of the returning officer; but no such returning officer, officer, clerk, or agent as aforesaid shall, save as aforesaid, be required, as such, to make any declaration or take any oath on the occasion of any election.

55. Where in this Act any expressions are used requiring or authorising or inferring that any act or thing is to be done in the presence of the agents of the candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as may be authorised to attend, and as have in fact attended, at the time and place where such act or thing is being done, and the non-attendance of any agents or agent at such time and place shall not, if such act or thing be otherwise duly done, in anywise invalidate the act or thing done.

56. In reckoning time for the purposes of this Act, Sunday, Christmas-day, Good Friday, and any day set apart for a public fast or public thanksgiving, shall be excluded; and where anything is required by this Act to be done on any day which falls on the abovementioned days such thing may be done on the next day, unless it is one of the days excluded as above mentioned.

57. In this Act—

The expression "district borough" means the borough of Monmouth and any of the boroughs specified in Schedule E. to the Act of session of the second and third years of the reign of King William the Fourth,

chapter forty-five, intituled "An Act to amend the Representation of the People in England and Wales"; and

The expression "polling places" means, in the case of a borough, such borough or any part thereof in which a separate booth is required or authorised by law to be provided; and

The expression "agents of the candidates," used in relation to a polling station, means agents appointed in pursuance of section eighty-five of the Act of the session of the sixth and seventh years of the reign of Her present Majesty, chapter eighteen.

Modifications in Application of Part One of Schedule to Scotland.

58. In Scotland, the place of election shall be a convenient room situate in the town in which the writ for the election would, if this Act had not passed, have been proclaimed.

59. In Scotland, the candidates may respectively appoint agents to attend at the polling stations. The ballot papers and other documents other than the return required to be sent to and kept by the Clerk of the Crown in Chancery, shall, in Scotland, be kept by the sheriff clerks of the respective counties in which the returns (including those for burghs) are made, and the provisions of this schedule relating thereto shall be construed as if the sheriff clerk were substituted for Clerk of the Crown in Chancery.

60. In Scotland, the term "district borough" shall mean the combined burghs and towns specified in Schedule E. of the Act of the session of the second and third years of the reign of King William the Fourth, chapter sixty-five, intituled "An Act to amend the Representation of the People in Scotland;" and in Schedule A. of the Representation of the People (Scotland) Act, 1868, 31 & 32 Vict. c. 48.

61. The provisions of the Act of the session of the second and third years of the reign of King William the Fourth, chapter sixty-five, intituled "An Act to amend the Representation of the People "in Scotland," in so far as they relate to the fixing and announcement of the day of election, the interval to elapse between the receipt of the writ and the day of election, the period of adjournment for taking the poll in the case of Orkney and Shetland, and of the district of burghs comprising Kirkwall, Wick, Dornoch, Dingwall, Tain, and Cromarty, and to the keeping open of the poll for two consecutive days in the case of Orkney and Shetland, shall remain in full force and effect, anything in this Act or any other Act of Parliament now in force notwithstanding; but nothing herein contained shall be construed to exclude Orkney and Shetland or Orkney or Shetland, or the said district of burghs or any of the burghs in the said district, from any of the benefits and obligations of the other portions of this Act.

Modifications in Application of Part One of Schedule to Ireland.

62. The expression "Clerk of the Crown in Chancery" in this schedule shall mean, as regards Ireland, "the Clerk of the Crown and Hanaper in Ireland."

63. A presiding officer at a polling station in a county in Ireland need not be freeholder of the county.

PART II.

RULES FOR MUNICIPAL ELECTIONS.

64. In the application of the provisions of this schedule to municipal elections the following modifications shall be made:—

(a.) The expression "register of voters" means the burgess roll of the burgesses of the borough, or, in the case of an election for the ward of a borough, the ward list; and the mayor shall provide true copies of such register for each polling station:

(b.) All ballot papers and other documents which, in the case of a parliamentary election, are forwarded to the Clerk of the Crown in Chancery shall be delivered to the town clerk of the municipal borough in which the election is held, and shall be kept by him among the records of the borough; and the provisions of part one of this schedule with respect to the inspection, production, and destruction of such ballot papers and documents, and to the copies of such documents, shall apply

respectively to the ballot papers and documents so in the custody of the town clerk, with these modifications; namely,

(a.) An order of the county court having jurisdiction in the borough or any part thereof, or any tribunal in which a municipal election is questioned, shall be substituted for an order of the House of Commons, or of one of Her Majesty's Superior Courts; but an appeal from such county court may be had in like manner as in other cases in such county court;

(b.) The regulations for the inspection of documents and the fees for the supply of copies of documents of which copies are directed to be supplied shall be prescribed by the council of the borough with the consent of one of Her Majesty's Principal Secretaries of State; and, subject as aforesaid, the town clerk, in respect of the custody and destruction of the ballot papers and other documents coming into his possession in pursuance of this Act, shall be subject to the directions of the council of the borough;

(c.) Nothing in the schedule with respect to the day of the poll shall apply to a municipal election.

Modifications in Application of Part II. of Schedule to Scotland.

65. In part two of this schedule as applying to Scotland—

The expression "register of voters" means the register, list, or roll of persons entitled to vote in a municipal election made up according to the law for the time being in force.

The expression "county court" means the sheriff court.

The expression "town clerk" includes the clerk appointed by the Commissions of Police under the Act of the session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter thirty-three, intitled "An Act to make more effectual provision for regulating the police of towns and populous places in Scotland, and for paving, draining, cleansing, lighting, and improving the same," and of the General Police and Improvement (Scotland) Act, 1862.

Modifications in Application of Part II. of Schedule to Ireland.

66. In part two of this schedule as applying to Ireland—

The expression "register of voters," in addition to the meaning specified in such part, means, in relation to any municipal borough subject to the provisions of a Local Act requiring an annual revision of the lists of voters at municipal elections, the register of voters made in conformity with the said provisions of such Local Act, and in relation to municipal boroughs to which Part II. of the Local Government (Ireland) Act, 1871, applies, the list to be made under the provisions of section twenty-seven of the said Act, and in relation to other municipal boroughs a list which the town clerk of every municipal borough is hereby authorised and directed to make, in like manner in every respect as if the provisions of the said section were applicable to and in force within such municipal borough.

The expression "county court" means the Civil Bill Court.

The expression "town clerk" includes clerk to the commissioners, municipal commissioners, town commissioners, or township commissioners of any municipal borough, and any person executing the duties of such town clerk.

The expression "council of the borough" includes commissioners, municipal commissioners, and town commissioners of the town, and township commissioners of the township.

The expression "one of Her Majesty's Principal Secretaries of State" means the Chief Secretary of the Lord Lieutenant of Ireland.

SECOND SCHEDULE.

Note.—The forms contained in this schedule, or forms as nearly resembling the same as circumstances will admit,

shall be used in all cases to which they refer and are applicable, and when so used shall be sufficient in law.

Writ for a County or Borough at a Parliamentary Election.

(a) Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen Defender of the Faith, to the — (b) of the county [or borough] of —, greeting:

(c) Whereas by the advice of our Council we have ordered a Parliament to be holden at Westminster on the — day of — next. We command you that, notice of the time and place of election being first duly given, you do cause election to be made according to law of — members [or a member] to serve in Parliament for the said county [or the — division of the said county, or the borough, or as the case may be] of — (d) and that you do cause the names of such members [or member] when so elected, whether they [or he] be present or absent, to be certified to us, in our Chancery, without delay.

Witness ourself at Westminster, the — day of — in the — year of our reign, and in the year of our Lord 18—.

(a) The name of the Sovereign may be altered when necessary.

(b) Insert "sheriff" or other returning officer.

(c) This preamble to be omitted except in case of a general election.

(d) Except in a general election, insert here in the place of A.B., deceased, or otherwise, stating the cause of vacancy.

Label or direction of Writ.

To the — (a) of —.

A writ of a new election of members [or member] for the said county [or division of a county or borough, or as the case may be].

Endorsement.

Received the within writ on the — day of — 18—.

(Signed) A.B.,

High Sheriff [or Sheriff, or Mayor, or as the case may be].

Certificats endorsed on the Writ.

I hereby certify that the members [or member] elected for — in pursuance of the within-written writ, are [or is] A.B. of —, in the county of —, and C.D. of —, in the county of —.

(Signed) A.B.,

High Sheriff [or Sheriff, or Mayor or as the case may be].

Note.—A separate writ will be issued for each county as defined for the purposes of a parliamentary election.

Form of Notice of Parliamentary Election.

The returning officer of the — of — will, on the — day of — now next ensuing, between the hours of — and —, proceed to the nomination, and if there is no opposition, to the election, of a member [or members] for the said county [or division of a county or borough] at the (a) —.

Forms of nomination paper may be obtained at — (a), between the hours of — and — on —.

Every nomination paper must be signed by two registered electors as proposer and seconder, and by eight other registered electors as assenting to the nomination.

Every nomination paper must be delivered to the returning officer by the candidate proposed, or by his proposer and seconder, between the said hours of — and — on the said — day of — at the said — (a).

Each candidate nominated, and his proposer and seconder, and one other person selected by the candidate, and no other persons, are entitled to be admitted to the room.

In the event of the election being contested the poll will take place on the — day of —.

(Signed) A.B.,

Sheriff [or Mayor, or as the case may be].

— day of — 18—.

Take notice, that all persons who are guilty of bribery, treating, undue influence, personation, or other corrupt practices at the said election will, on conviction of such offence, be liable to the penalties mentioned in that behalf in "The Corrupt Practices Prevention Act, 1854," and the Ballot Act, 1872, and the Acts amending the said Acts.

(a) *Note.*—Insert description of place and room.

Form of Nomination Paper in Parliamentary Election.

We, the undersigned A. B., of —, in the — of —, and C. D., of —, in the — of —, being electors for the — of —, do hereby nominate the following person as a proper person to serve as member for the said — in Parliament:—

Surname.	Other Names.	Abode.	Rank, Profession, or Occupation.
BROWN	JOHN	52, George-street, Bristol ...	Merchant.
JONES	or WILLIAM DAVID	High Elms, Wilts	Esquire.
MERTON	or Hon. GEORGE TRAVIS, commonly called Viscount.	Swanworth, Berks	Viscount.
SMITH	or HENRY SYDNEY	72, High-street, Bath	Attorney.

(Signed) A. B.
C. D.

We, the undersigned, being registered electors of the —, do hereby assent to the nomination of the above-mentioned John Brown as a proper person to serve as member for the said — in Parliament.

(Signed) E. F. of
G. H. of
I. J. of
K. L. of
M. N. of
O. P. of
Q. R. of
S. T. of

Note.—Where a candidate is an Irish peer, or is commonly known by some title, he may be described by his title as if it were his surname.

Form of Nomination Paper in Municipal Election.

Note.—The form of nomination paper in a municipal election shall as nearly as circumstances admit be the same as in the case of a parliamentary election.

*Form of Ballot Paper.**Form of Front of Ballot Paper.*

Counterfoil
No.

Note:—

The counterfoil is to have a number to correspond with that on the back of the Ballot Paper.

1	BROWN (John Brown, of 52, George-street, Bristol, merchant.)	
2	JONES (William David Jones, of High Elms, Wilts, Esq.)	
3	MERTON (Hon. George Travis, commonly called Viscount Merton, of Swanworth, Berks.)	
4	SMITH (Henry Sydney Smith, of 72, High-street, Bath, attorney.)	

Form of Back of Ballot Paper.

No.

Election for — county [or borough, or ward].
18—.

Note.—The number on the ballot paper is to correspond with that in the counterfoil.

Directions as to printing Ballot Paper.

Nothing is to be printed on the ballot paper except in accordance with this schedule.

The surname of each candidate, and if there are two or more candidates of the same surname, also the other names of such candidates, shall be printed in large characters, as shown in the form, and the names, addresses, and descriptions, and the number on the back of the paper, shall be printed in small characters.

Form of Directions for the Guidance of the Voter in voting, which shall be printed in conspicuous Characters, and placarded outside every Polling Station and in every Compartment of every Polling Station.

The voter may vote for — candidate.

The voter will go into one of the compartments, and, with the pencil provided in the compartment, place a cross on the right-hand side, opposite the name of each candidate for whom he votes, thus X.

The voter will then fold up the ballot paper so as to show the official mark on the back, and leaving the compartment will, without showing the front of the paper to any person, show the official mark on the back to the presiding officer, and then, in the presence of the presiding officer, put the paper into the ballot box, and forthwith quit the polling station.

If the voter inadvertently spoils a ballot paper he can return it to the officer, who will, if satisfied of such inadvertence, give him another paper.

If the voter votes for more than — candidate, or places any mark on the paper by which he may be afterwards

identified, his ballot paper will be void, and will not be counted.

If the voter takes a ballot paper out of the polling station, or deposits in the ballot box any other paper than the one given him by the officer, he will be guilty of a misdemeanour, and be subject to imprisonment for any term not exceeding six months, with or without hard labour.

Note.—These directions shall be illustrated by examples of the ballot paper.

Form of Statutory Declaration of Secrecy.

I solemnly promise and declare, That I will not at this election for — do anything forbidden by section four of the Ballot Act, 1872, which has been read to me.

Note.—The section must be read to the declarant by the person taking the declaration.

Form of Declaration of inability to read.

I, A.B., of —, being numbered — on the Register of Voters for the county [or borough] of —, do hereby declare that I am unable to read.

A.B., his mark.

I, the undersigned, being the presiding officer for the — polling station for the county [or borough] of — do hereby certify, that the above declaration, having been first read to the above-named A.B., was signed by him in my presence with his mark.

Signed, C.D.,

Presiding officer for — polling station for the county [or borough] of —.

— day of —.

THIRD SCHEDULE.

Provisions of Registration Acts referred to in Part III. of the foregoing Act.

Session and Chapter.	Title.	Part applied.
<i>As to England.</i>		
6 & 7 Vict. c. 18 ...	An Act to amend the law for the registration of persons entitled to vote, and to define certain rights of voting, and to regulate certain proceedings in the elections of members to serve in Parliament for England and Wales.	Sections eighty-five to eighty-nine, both inclusive.
<i>As to Ireland.</i>		
43 & 14 Vict. c. 69.	An Act to amend the laws which regulate the qualification and registration of parliamentary voters in Ireland, and to alter the law for rating immediate lessors of premises to the poor rate in certain boroughs.	Sections ninety-two to ninety-six, both inclusive.

FOURTH SCHEDULE.

Acts relating to England.

Note.—This schedule, so far as respects Acts prior to the tenth year of the reign of George the Third, refers to the edition prepared under the direction of the Lord Chancellor, intitled "The Statutes, Revised Edition."

A description or citation of a portion of an Act is inclusive of the words, section, or other part first or last mentioned, or otherwise referred to as forming the beginning or as forming the end of the portion comprised in the description or citation.

Portions of Acts which have already been specifically repealed, are in some instances included in the repeal in this schedule, in order to preclude henceforth the necessity of looking back to previous Acts.

Session and Chapter.	Title or abbreviated title.	Extent of Repeal.
7 Hen. 4 ...	Statute of the seventh year ...	Chapter fifteen.
8 Hen. 6 ...	Statutes of the eighth year of K. Henry VI. ...	Chapter seven, from "and such as have the greatest number" to "shall lose their wages," and from "and that in every writ that shall hereafter go forth" to the end of the chapter.
23 Hen. 6 ...	Here begin the statutes made at Westminster in the twenty-third year.	Chapter fourteen.
7 & 8 Will. 3, c. 25.	An Act for the further regulating elections of members to serve in Parliament, and for the preventing irregular proceedings of sheriffs and other officers in the electing and returning such members.	Sections three and four, and section five down to "writing the same."
* 10 Will. 3, c. 7...	An Act for preventing irregular proceedings of sheriffs and other officers in making the returns of members chosen to serve in Parliament.	So much as is unrepealed.
2 Geo. 2, c. 24 ...	An Act for the more effectual preventing bribery and corruption in the elections of members to serve in Parliament.	Sections three and nine.

* 10 & 11 Will. 3 in running headings in ordinary editions.

Session and Chapter.	Title or abbreviated title.	Extent of Repeal.
18 Geo. 2, c. 18 ...	An Act to explain and amend the laws touching the elections of knights of the shire to serve in Parliament for that part of Great Britain called England.	Section five, from "or shall vote more than once," to the end of that section, and sections nine to sixteen.
19 Geo 2, c. 28 ...	An Act for the better regulating of elections of members to serve in Parliament for such cities and towns in that part of Great Britain called England as are counties of themselves.	Section four, from "or shall vote more than once," to end of that section, and sections six to twelve.
3 Geo. 3, c. 15 ...	An Act to prevent occasional freemen from voting at elections of members to serve in Parliament for cities and boroughs.	Section seven.
11 Geo. 3, c. 55 ...	An Act the title of which begins with the words "An Act to incapacitate," and ends with the words "New Shoreham, in the county of Sussex."	The whole Act.
21 Geo. 3, c. 54 ...	An Act for the better regulating elections of citizens to serve in Parliament for the city of Coventry.	Sections seven to nine and fourteen.
22 Geo. 3, c. 31 ...	An Act for the preventing of bribery and corruption in the election of members to serve in Parliament for the borough of Cricklade in the county of Wilts.	The whole Act.
25 Geo. 3, c. 84 ...	An Act the title of which begins with the words "An Act to limit the duration," and ends with the words "to serve in Parliament."	The whole Act, except section one down to "make a return of such person or persons," and section three in so far as that part of a section and section relate to the universities.
33 Geo. 3, c. 64 ...	An Act the title of which begins with the words "An Act to explain and amend an Act," and ends with the words "time and place of election."	The whole Act, except so far as it relates to the universities.
3 Geo. 3, c. 73 ...	An Act for directing the appointment of Commissioners to administer certain oaths and declarations required by law to be taken and made by persons offering to vote at the election of members to serve in Parliament.	The whole Act.
42 Geo. 3, c. 62 ...	An Act for extending the provisions of an Act made in the thirty-fourth year of the reign of His present Majesty, intituled "An Act for directing the appointment of Commissioners to administer certain oaths and declarations required by law to be taken and made by persons offering to vote at the election of members to serve in Parliament," to all oaths now required by law to be taken by voters at elections for members to serve in Parliament.	The whole Act.
43 Geo. 3, c. 74 ..	An Act for further regulating the administration of the oath or affirmation required to be taken by electors of members to serve in Parliament, by an Act passed in the second year of King George the second, intituled "An Act for the more effectual preventing bribery and corruption in the election of members to serve in Parliament."	The whole Act.
44 Geo. 3 c. 60 ...	An Act for the preventing of bribery and corruption in the election of members to serve in Parliament for the borough of Aylesbury in the county of Buckingham.	The whole Act.
11 Geo. 4 & 1 Will. 4, c. 74	An Act to prevent bribery and corruption in the election of burgesses to serve in Parliament for the borough of East Retford.	The whole Act.
2 & 3 Will. 4, c. 45.	An Act to amend the representation of the people in England and Wales.	Sections fifty-eight to sixty; sections sixty-two, sixty-three, sixty-five, sixty-seven; part of section sixty-eight, namely, from "shall if required thereby" down to "poll at each compartment, and" and from "and in case the booths shall be situated in different places" to "lawfully closed;" and section sixty-nine; and section seventy-one from "and that all deputies" to "candidates at such election," and from "provided also, that the sheriff" to the end of the section; and sections seventy-two, seventy-three, and seventy-four.
2 & 3 Will. 4, c. 64.	An Act to settle and describe the divisions of counties and the limits of cities and boroughs in England and Wales, in so far as respects the election of members to serve in Parliament.	Sections twenty-nine to thirty-three, and so much of section thirty-four as relates to taking the poll.
5 & 6 Will. 4, c. 36.	An Act to limit the time of taking the poll in boroughs at contested elections of members to serve in Parliament to one day.	The whole Act, except section two, down to "in the forenoon," and from "and the polling" to "in the afternoon;" and sections seven to nine.

Session and Chapter.	Title or abbreviated title.	Extent of Repeal.
5 & 6 Will. 4, c. 76.	An Act to provide for the regulation of municipal corporations in England and Wales.	The words "openly assemble and" in section thirty; section thirty-two from "by delivering to the mayor and assessors" to the end of that section, and so much of the rest of that section as relates to assessors; section thirty-three from "and shall be so divided" to "poll at each compartment, and;" and from "and in case the booths" to "at each place;" the words "Are you the person whose name is signed as A.B. to the voting paper now delivered in by you" in section thirty-four, and section thirty-five from "and the mayor shall cause the voting papers" to end of that section, and so much of the rest of that section as relates to assessors; and so much of sections forty-three, forty-four, and forty-six as relates to assessors.
6 & 7 Will. 4, c. 102.	An Act for rendering more easy the taking the poll at county elections.	The whole Act.
6 & 7 Vict. c. 18 ...	An Act to amend the law for the registration of persons entitled to vote and to define certain rights of voting, and to regulate certain proceedings in the election of members to serve in Parliament for England and Wales.	Section seventy-nine from "Provided always, that is shall not be lawful" to end of that section; section eighty; so much of section eighty-one as relates to a commissioner or commissioners; sections eighty-three, eighty-four, and ninety-one, sections ninety-four to ninety-six, and sections ninety-eight and ninety-nine.
16 & 17 Vict. c. 15.	An Act to limit the time of taking the poll in counties at contested elections for knights of the shire to serve in Parliament in England and Wales to one day.	The whole Act, except section two, down to "in the afternoon of such day," and section three.
16 & 17 Vict. c. 68.	An Act to limit the time for proceeding to election in counties and boroughs in England and Wales, and for polling at elections for the Universities of Oxford and Cambridge, and for other purposes.	Sections two, three, seven, and eight.
17 & 18 Vict. c. 102.	"The Corrupt Practices Prevention Act, 1854." ...	Section eleven and Schedule B.
22 Vict. c. 35 ...	"The Municipal Corporation Act, 1859." ...	So much of section seven as relates to the form of nomination paper, and so much of section eight as relates to assessors.
25 & 26 Vict. c. 95.	An Act to amend the law relating to polling places in the boroughs of New Shoreham, Cricklade, Aylesbury and East Retford.	The whole Act.
30 & 31 Vict. c. 102.	"The Representation of the People Act, 1867." ...	Section thirty-five; section thirty-seven from "where in any place" to end of that section; section thirty-nine.
31 & 32 Vict. c. 58.	"The Parliamentary Electors Registration Act, 1868."	Sections four to sixteen, twenty-four, twenty-six, thirty-four, and thirty-six.
31 & 32 Vict. c. 125.	"The Parliamentary Elections Act, 1868." ...	Section forty, from "provided always," to the end of that section.

FIFTH SCHEDULE.

Acts relating to Scotland.

A description or citation of a portion of an Act is inclusive of the words, section, or other part first or last mentioned, or otherwise referred to as forming the beginning or as forming the end of the portion comprised in the description or citation.

Session and Chapter.	Title of Act.	Extent of Repeal.
2 & 3 Will. 4, c. 65.	An Act to amend the representation of the people in Scotland.	Sections twenty-four and twenty-five; section twenty-six; section twenty-seven from the words "and each substitute so superintending" to the end of that section; section twenty-eight from the words "and shall within three days" to the end of that section; section twenty-nine the words "the market cross or some other convenient and open place in or immediately adjoining," and from the words "and if no more than one candidate" to the end of that section; section thirty the words "the market cross or some other convenient and open place in or immediately adjoining," and from the words "and if no more candidates" down to the words "Saturdays and Sundays," and from the words "and the sheriff who proclaimed the writ" to the end of that section; sections thirty-two, thirty-three, and thirty-nine; sections forty-three, forty-seven, and forty-eight.

Session and Chapter.	Title of Act.	Extent of Repeal.
3 & 4 Will. 4, c. 76.	An Act to alter and amend the laws for the election of the magistrates and councils of the royal burghs in Scotland.	Section eight so far as it provides that the election shall be by "open" poll, and from the words "and each poll clerk shall enter" to the end of that section; section ten, so far as it relates to poll-books; section eleven, so far as it relates to voting by lists; and the words "assemble in the town hall or other public room of such burgh and," and from the words "and the provost" to the end of that section; section fifteen, so far as inconsistent with this Act; section eighteen; section thirty-six from the commencement to "provided always, that;" and section thirty-eight.
3 & 4 Will. 4, c. 77.	An Act to provide for the appointment and election of magistrates and councillors for the several burghs and towns of Scotland which now return or contribute to return members to Parliament and are not royal burghs.	Section four so far as it provides that the election shall be by open poll; and from the words, "and each poll clerk shall enter" to the end of that section; section eight and section nine from the words "assemble in the town hall" to the words "in each such burgh or town;" so much of the section as relates to voting by lists, and from the words "and such town clerk" to the end of that section; section eleven so far as inconsistent with this Act; and sections eighteen and thirty-four.
4 & 5 Will. 4, c. 86.	An Act the title of which begins with the words "An Act to explain certain provisions," and ends with the words "to return members to Parliament, and are not royal burghs."	The whole Act.
4 & 5 Will. 4, c. 87.	An Act the title of which begins with the words "An Act to explain certain provisions," and ends with the words "of the royal burghs of Scotland."	The whole Act.
4 & 5 Will. 4, c. 88.	An Act for the more effectual registration of persons entitled to vote in the election of members to serve in Parliament.	The whole Act.
5 & 6 Will. 4, c. 78.	An Act the title of which begins with the words "An Act to explain and amend an Act," and ends with the words "and to diminish the expenses thereof."	Sections one and two; section five from "and after the poll" to "the declaration"; sections six, seven, eight, twelve, thirteen, and fifteen.
13 & 14 Vict. c. 33.	An Act to make more effectual provision for regulating the police of towns and populous places in Scotland, and for paving, draining, cleansing, lighting, and improving the same.	Sections seven to eleven and thirteen to twenty six, sections twenty-nine and thirty, so far as their provisions are inconsistent with the provisions of this Act, and schedules (A.), (B.), and (C.).
16 & 17 Vict. c. 28.	An Act to amend the law as to taking the poll at elections of members to serve in Parliament for Scotland.	Sections one and ten.
18 & 19 Vict. c. 24.	An Act the title of which begins with the words "An Act to amend an Act," and ends with the words "in county elections in that country."	The whole Act.
24 & 25 Vict. c. 83.	An Act to amend the law regarding the registration of county voters in Scotland.	Schedule (D.) annexed to the Act from the words "and that I am possessed" to the end of the said schedule.
25 & 26 Vict. c. 101.	An Act the title of which begins with the words "An Act to make more effectual provision for regulating the police," and ends with the words "and also for promoting the public health thereof."	Sections forty-six, forty seven, and fifty, so far as their provisions are inconsistent with the provisions of this Act.
28 & 29 Vict. c. 92.	An Act to shorten the time for the election of members for the Ayr district of Burghs.	The whole Act.
31 & 32 Vict. c. 48.	An Act for the amendment of the representation of the people in Scotland.	Section twenty-four from the words "and in the case of a "poll being demanded" to the words "the said sheriff of the county of Peebles;" and sections forty-four and fifty-four; and section fifty-nine from the words "oath of possession" to the end of that section.
31 & 32 Vict. c. 58.	An Act the title of which begins with the words "An Act to amend the law of registration," and ends with the words "other purposes relating thereto."	Section thirteen.

SIXTH SCHEDULE.

Acts relating to Ireland.

A description or citation of a portion of an Act is inclusive of the words, section, or other part first or last mentioned, or otherwise referred to as forming the beginning or as forming the end of the portion comprised in the description or citation.

ACTS OF THE PARLIAMENT OF IRELAND.

Session and Chapter.	Title.	Extent of Repeal.
10 Hen. 7, c. 22 ...	An Act confirming all the statutes made in England.	So much of the same as extends to Ireland the provisions of the Acts of the Parliament of England following; namely,—7 Hen. 4, chapter fifteen, 8 Hen. 6, chapter seven, from “and such as have the greatest number” to “shall lose their wages,” and from “and that in every writ that shall hereafter go forth” to the end of the chapter, 23 Hen. 6, chapter fourteen.
35 Geo. 3, c. 29 ...	An Act for regulating the election of members to serve in Parliament and for repealing the several Acts therein mentioned.	Section three, sections five to thirteen, sections fifteen to eighteen, section twenty.

ACTS OF THE PARLIAMENT OF THE UNITED KINGDOM.

1 Geo. 4, c. 11 ...	An Act for the better regulation of polls, and for making further provision touching the election of members to serve in Parliament for Ireland.	Sections two and three, section five from the words “and that such sheriff” to the end of that section, section six to twenty-one, section twenty-three, sections forty-one and forty-two.
9 Geo. 4, c. 82 ...	An Act to make provision for the lighting, cleansing, and watching of cities, towns, corporations, and market towns in Ireland in certain cases.	So much of sections twelve and sixteen as prescribes the mode of election of commissioners.
4 Geo. 4, c. 55 ...	An Act to consolidate and amend the several Acts now in force, so far as the same relate to the election and return of members to serve in Parliament for counties of cities and counties of towns in Ireland.	Section thirty-three from the words “and that such sheriffs” to the end of that section, sections thirty-four to forty-seven, sections forty-nine to fifty-nine, sections sixty to sixty-two, sections sixty-four and sixty-five, sections sixty-eight to seventy, seventy-two, seventy-six, and seventy-seven.
2 & 3 Will. 4, c. 88.	An Act to amend the representation of the people of Ireland.	Section thirty, section forty-eight, and sections forty-nine to fifty-four.
3 & 4 Vict. c. 108.	An Act for the regulation of municipal corporations in Ireland.	Section sixty-four from the words “by delivering to the mayor or barrister” to the end of that section, and so much of that section as relates to assessors; section sixty-five from “and shall be so divided” to “poll at each compartment,” and from “in case the booths” to “at each place;” the words “are you the person whose name is signed as A. B. to the voting paper now delivered in by you,” in section sixty-six; section sixty-eight from “and the mayor shall cause the voting papers” to the end of that section, and so much of the rest of that section as relates to assessors; and so much of section seventy as relates to ward assessors.
6 & 7 Vict. c. 93 ...	An Act to amend an Act of the third and fourth years of Her present Majesty for the regulation of municipal corporations in Ireland.	Section twenty-three.
9 & 10 Vict. c. 19 ...	An Act to amend an Act of the second and third years of His late Majesty by providing additional booths or polling places at elections in Ireland where the number of electors whose names shall begin with the same letter of the alphabet shall exceed a certain number.	The whole Act.
13 & 14 Vict. c. 68.	An Act to shorten the duration of elections in Ireland, and for establishing additional places for taking the poll thereat.	Section one, section three, section four, sections ten to fourteen, so much of section fifteen as prescribes the interval between the election and the polling, section sixteen, section nineteen from “and that all the deputies” to “at the expense of the candidates,” section twenty, section twenty-two.
13 & 14 Vict. c. 69.	An Act to amend the laws which regulate the qualification and registration of parliamentary voters in Ireland, and to alter the law for rating immediate lessors of premises to the poor rate in certain boroughs.	Sections eighty-six, ninety-eight, ninety-nine; section one hundred; sections one hundred and one and one hundred and two, sections one hundred and four and one hundred and five.
17 & 18 Vict. c. 102.	The Corrupt Practices Prevention Act, 1854 ...	Sections eleven, and Schedule B.

Session and Chapter.	Title.	Extent of Repeal.
& 18 Vict. c. 103	The Towns Improvement (Ireland) Act, 1854 ...	So much of section twenty-four as incorporates the sections of 10 & 11 Vict. c. 16, following; that is to say,—sections twenty-three, twenty-six, and twenty-seven; section twenty-eight from the words "and shall be conducted in manner following" to "carefully preserved by the presiding officer, and," and the question numbered I., section thirty from "the returning officer" to "each person and," and section thirty-one, and so much of any Act as incorporates the part of the said section twenty-four hereby repealed.
25 & 26 Vict. c. 62.	An Act to amend the law relating to the duration of contested elections for counties in Ireland, and for establishing additional places for taking the poll thereat.	Part of section four, namely, so much as prescribes the interval between the day fixed for the election and the polling; section five, sections eight to ten.
25 & 26 Vict. c. 92.	An Act to limit the time for proceeding to elections in counties and boroughs in Ireland.	Section one, and section two from the words "and in every city or town" to end of that section.
31 & 32 Vict. c. 49.	An Act to amend the representation of the people in Ireland.	Section twelve from the words "several boroughs" to the word "Cork," and the words "and county of the city of Limerick."
31 & 32 Vict. c. 112.	An Act to amend the law of registration in Ireland.	Sections four to thirty; section thirty-eight.

CAP. XXXIV.

An Act to amend the Law relating to the Election of Directors of the Bank of England.

[18th July, 1872.

CAP. XXXV.

An Act for the Amendment of the Act of Uniformity.

[18th July, 1872.

CAP. XXXVI.

An Act to render it unlawful to demand any Fee or Reward for the Celebration of the Sacrament of Baptism, or the Registry thereof.

[18th July, 1872.

Whereas doubts have been entertained whether in certain churches and chapels of the Church of England as by law established, under the authority of certain Local Acts of Parliament or custom, fees may not now be demanded for the administration of the sacrament of baptism, or for the due registration of such administration:

And whereas it is expedient that such doubts should not exist:

Be it enacted &c. as follows:

1. *Fee for celebration of baptism unlawful.*] That from and after the passing of this Act, it shall not be lawful for the minister, clerk in orders, parish clerk, vestry clerk, warden, or any other person to demand any fee or reward for the celebration of the sacrament of baptism, or for the registry thereof: Provided always, that this Act shall not apply to the present holder of any office who may at the present time be entitled by any act of Parliament to demand such fees.

CAP. XXXVII.

An Act to apply the sum of eight million pounds out of the Consolidated Fund to the service of the year ending the thirty-first day of March one thousand eight hundred and seventy-three.

[25th July, 1872.

CAP. XXXVIII.

An Act for the better Protection of Infant Life.

[25th July, 1872.

Whereas it is expedient to make better provision for the protection of infants intrusted to persons to be nursed or maintained for hire or reward in that behalf:

Be it enacted, &c., as follows:

1. *Interpretation clause.*] The term "Summary Jurisdiction Acts" means as follows:—

As to England, the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the performance of the duties of justices of the peace out of sessions within England and Wales with respect to summary convictions and orders," and any Acts amending the same;

As to Scotland, "The Summary Procedure Act, 1864,"

As to Ireland, within the police district of Dublin metropolis, the Acts regulating the powers and duties of justices of the peace for such district or of the police of such district; and elsewhere in Ireland, "The Petty Sessions (Ireland) Act, 1851," and any Act amending the same:

The term "court of summary jurisdiction" means and includes any justice or justices of the peace, sheriff or sheriff substitute, metropolitan police magistrate, stipendiary or other magistrate, or authority, by whatever name called, to whom jurisdiction is given by the Summary Jurisdiction Acts or any Acts therein referred to, or to proceedings before whom the provisions of the Summary Jurisdiction Acts are or may be made applicable:

In this Act the words "local rate," "local jurisdiction," and "local authority," mean, in reference to the districts mentioned in the first column of the First Schedule annexed hereto, the rate, jurisdiction, and authority mentioned in the second, third, and fourth columns of the said schedule, and such schedule and the notes thereto annexed shall be deemed to be part of this Act.

2. *Houses of persons retaining or receiving for hire two or more infants for the purpose of nursing to be registered.*] From and after the commencement of this Act it shall not be lawful for any person to retain or receive for hire or reward in that behalf more than one infant, and in case of twins more than two infants, under the age of one year for the purpose of nursing or maintaining such infants apart from their parents for a longer period than twenty-four hours, except in a house which has been registered as herein provided.

3. *Register of names and houses to be kept by local authority.*] The local authority shall cause a register to be kept in which shall be entered the name of every person applying to register any house for the purposes of this Act, and the situation of every such house, and the local authority shall from time to time make byelaws for fixing the number of infants who may be received into each house so registered; the registration shall remain in force for one year; no fee shall be charged for registration. Every person who receives or retains any infant in contravention to the provisions of this Act shall be guilty of an offence against this Act.

4. *Local authority may refuse to register.*] The local authority may refuse to register any house, unless they are satisfied that such house is suitable for the purposes for which it is to be registered, and unless they are satisfied by the production of certificates that the person applying to be registered is of good character, and able to maintain such infants.

5. *Persons whose names and houses are registered to keep a register of infants and to produce it when lawfully required.*] The person registered as aforesaid shall immediately enter in a register to be kept by him the name, sex, and age of each infant under his care, and the date at which and the names and addresses of the persons from whom they were received, and shall also enter in the said register the time when and the names and addresses of the person by whom every such infant received and retained as aforesaid shall be removed immediately after the removal of such infant, and shall produce the said register when required to do so by the local authority; and in the event of his refusing so to produce the said register or neglecting to enter in a register the name, sex, and age of each of the said infants, and the date at which and the names and addresses of the persons from whom they were received and by whom they were removed respectively, shall be liable to a penalty not exceeding five pounds. The person registered shall be entitled to receive gratuitously from the local authority a book of forms for the registration of infants; such register may be in the form contained in the second schedule to this Act.

6. *Forgery of certificate and falsifying register.*] If any person shall make false representations with a view to being registered under this Act, or shall forge any certificate for the purpose of this Act, or make use of any forged certificate, knowing it to be forged, or shall falsify any register kept in pursuance of this Act, he shall be guilty of an offence against this Act.

7. *Local authority may strike name and house off register for neglect, &c.*] If it shall be proved to the satisfaction of the local authority that any person whose house has been so registered as aforesaid has been guilty of serious neglect, or is incapable of providing the infants intrusted to his care with proper food and attention, or that the house specified in the register has become unfit for the reception of infants, it shall be lawful for the local authority to strike his name and house off the register.

8. *Inquest to be held on death of infant.*] The person registered as aforesaid shall within twenty-four hours after the death of every infant so retained or received cause notice thereof to be given to the coroner for the district within which the said infant died, and the said coroner shall hold an inquest on the body of every such infant unless a certificate under the hand of a registered medical practitioner shall be produced to him by the person so registered certifying that such registered medical practitioner has personally attended or examined such infant, and specifying the cause of its death, and the said coroner shall be satisfied by such certificate that there is no ground for holding

such inquest. If the person so registered shall neglect to give notice as aforesaid he shall be guilty of an offence under this Act.

9. *Punishment for offence under this Act.*] Every person guilty of an offence under this Act shall be liable to imprisonment for not more than six months, with or without hard labour, or to a penalty not exceeding five pounds, as a court of summary jurisdiction may award, and shall in addition be liable to have his name and house struck off the register.

10. *Payment of expenses out of local rate.*] All expenses incurred in and about the execution of this Act shall be defrayed out of the local rate.

11. *Offence how to be prosecuted.*] Any offence under this Act may be prosecuted before a court of summary jurisdiction in manner provided by the Summary Jurisdiction Acts: Provided as follows:

The description of any offence under this Act in the words of such Act, or as near thereto as may be, shall be sufficient in law:

Any exception, exemption, proviso, excuse, or qualification, whether it does or does not accompany the description of the offence in this Act, may be proved by the defendant, but need not be specified or negatived in the information, and if so specified or negatived, no proof in relation to the matters so specified or negatived shall be required on the part of the informant or prosecutor:

The court of summary jurisdiction, when hearing, trying, determining, and adjudging an information or complaint in respect of any offence or matter arising under this Act, shall be constituted either of two or more justices of the peace in petty sessions, or of some magistrate or officer sitting alone or with others at some court or other place appointed for the administration of justice, and for the time being empowered by law to do alone any act authorised to be done by more than one justice of the peace.

12. *Application of penalties recovered under the Act.*] Any moneys arising from fees or fines under this Act shall be paid to the account of the local rate, and be applied to the purposes to which that rate is applicable.

13. *Exceptions from provisions of Act.*] The provisions of this Act shall not extend to the relatives or guardians of any infant retained or received as aforesaid, nor to institutions established for the protection or care of infants, nor to any person receiving any infant for the purpose of nursing or maintaining such infant under the provisions of any Act for the relief of the poor.

14. *Act subject to certain provisions in its application to Scotland.*

15. *Commencement of Act.*] This Act shall commence on the first day of November one thousand eight hundred and seventy-two.

16. *Short title.*] This Act may be cited as "The Infant Life Protection Act, 1872."

THE FIRST SCHEDULE referred to in the foregoing Act.

ENGLAND.

District.	Local Rate.	Local Jurisdiction.	Local Authority.
Counties, except the metropolis and city of London.	The county rate or rate in the nature of a county rate.	Petty sessional division	Justices in petty sessions.
The metropolis	Rate or fund applicable to the payment of the general expenses of the board.	Area of the metropolis	The Metropolitan Board of Works.
City of London and the liberties thereof.	Consolidated sewers rate	Area of the city of London and the liberties thereof.	Common Council.
Boroughs	The borough fund or borough rate.	Area of borough	Council.

"County" shall not include a county of a city or county of a town, but shall include any riding, division, parts, or liberty of a county having a separate commission of the peace.

Where a county or liberty of a county having a separate commission of the peace is not divided into petty sessional divisions, such county or liberty of a county shall itself for the purposes of this Act be deemed to be a petty sessional

Be it therefore enacted &c. as follows :

1. *Continuance of 32 & 33 Vict. c. 111.*] The Bishops Resignation Act, 1869, shall continue and remain in force for three years from the end of this present session of Parliament, and if Parliament shall be then in session further until the end of such session ; but notwithstanding the expiration thereof all matters and things made and done under the said Bishops Resignation Act, during its continuance under this Act, shall remain valid and effectual, and all payments consequential thereon shall continue to be made, as if the said Act so continued had not expired.

CAP. XLI.

An Act to amend the Life Assurance Companies Acts, 1870 and 1871. [6th August, 1872.]

Be it enacted &c. as follows :

1. *Deposit by Company in Court of Chancery.*] Whereas by the provisions of the "Life Assurance Companies Acts, 1870 and 1871," a life assurance company is required to pay a sum of money into the Court of Chancery by way of deposit, and the certificate of incorporation of such company is not to be issued unless such deposit has been made, and such deposit is to be returned to the company as soon as its life assurance fund amounts to the sum therein mentioned ; and doubts have arisen as to the construction of the said provisions, and it is expedient to remove such doubts ; be it therefore enacted as follows :

The said deposit may be made by the subscribers of the memorandum of association of the company, or any of them, in the name of the proposed company, and such deposit upon the incorporation of the company shall be deemed to have been made by and to be part of the assets of the company.

The said deposit shall, until returned to the company, be deemed to form part of the life assurance fund of the company, and shall be subject to the provisions of section four of the Life Assurance Companies Act, 1870, accordingly. The Board of Trade may from time to time make, and when made revoke, alter, or add to, rules with respect to the payment and repayment of the said deposit, the investment of or dealing with the same, the deposit of stocks or securities in lieu of money, and the payment of the interest or dividends from time to time accruing due on any such investment, stocks, or securities in respect of such deposit. Any rules made in pursuance of this section shall have effect as if they were enacted in this Act, and shall be laid before Parliament within three weeks after they are made, if Parliament be then sitting, or if not, within three weeks after the beginning of the then next session of Parliament.

2. *Separation of life funds.*] Whereas, by section four of the Life Assurance Companies Act, 1870, it is enacted that, "In the case of a company established after the passing of this Act, transacting other business besides that of life assurance, a separate account shall be kept of all receipts in respect of the life assurance and annuity contracts of the company, and the said receipts shall be carried to and form a separate fund, to be called the life assurance fund of the company, and such fund shall be as absolutely the security of the life policy and annuity holders as though it belonged to a company carrying on no other business than that of life assurance, and shall not be liable for any contracts of the company for which it would not have been liable had the business of the company been only that of life assurance ;" and further provisions were made by the same section, with respect to the application of the above recited part of the said section to existing companies, and doubts have arisen with respect to the construction of the said provisions, and it is expedient to remove such doubts ; be it therefore enacted.

That the portion of section four of the Life Assurance Companies Act, 1870, above recited shall apply to every company established before the passing of that Act, provided that the Life Assurance Companies Act, 1870, and this Act shall not diminish the liability of the life assurance fund for any contracts of the company entered into before the passing of the Life Assurance Companies Act, 1870.

3. *Deposit of statement and abstract required by 33 & 34 Vict. c. 61, s. 10.*] Whereas by section ten of the Life Assurance Companies Act, 1870, it is provided that "Every annual statement so deposited after the next investigation shall be accompanied by a printed copy of the abstract required to be made by section seven ;" be it therefore enacted

that the words "next investigation" shall be construed to mean the first investigation after the passing of the said Act.

The Board of Trade shall lay before Parliament any statement or abstract of report which is deposited with them by any company, and purports to be in pursuance of the Life Assurance Companies Act, 1870, although the Board are of opinion that it is not such a statement or abstract as is required to be prepared by that Act.

4. *Winding up of subsidiary company, to be ancillary to winding up of principal company.*] Where the business or any part of the business of a life assurance company has, either before or after the passing of this Act, been transferred to another company under an arrangement in pursuance of which such first-mentioned company (in this Act called the subsidiary company) or the creditors thereof has or have claims against the company to which such transfer was made (in this Act called the principal company), then, if such principal company is being wound up by or under the supervision of the court, either at or after the passing of this Act, the court shall (subject as hereinafter mentioned) order the subsidiary company to be wound up in conjunction with the principal company, and may by the same or any subsequent order appoint the same person to be liquidator for the two companies, and make provision for such other matters as may seem to the court necessary, with a view to such companies being wound up as if they were one company ; and the commencement of the winding up of the principal company shall, save as otherwise ordered by the court, be the commencement of the winding up of the subsidiary company ; the court nevertheless shall have regard, in adjusting the rights and liabilities of the members of the several companies between themselves to the constitution of such companies, and to the arrangements entered into between the said companies, in the same manner as the court has regard to the rights and liabilities of different classes of contributories in the case of the winding up of a single company, or as near thereto as circumstances admit.

Where any subsidiary company or company alleged to be subsidiary is not in process of being wound up at the same time as the principal company to which it is subsidiary, the court shall not direct such subsidiary company to be wound up unless after hearing all objections (if any) that may be urged by or on behalf of such company against its being wound up, the court is of opinion that such company is subsidiary to the principal company and that the winding up of such company in conjunction with the principal company is just and equitable.

Where any subsidiary company and principal company are being wound up by different branches of the court, the court to which appeals from such branches lie shall make an order directing in which branch the winding up of such companies is to be carried on, and the necessary proceedings shall be taken for carrying such order into effect.

An application may be made in relation to the winding up of any subsidiary company in conjunction with a principal company by any creditor of, or person interested in, such principal or subsidiary company.

Where a company stands in the relation of a principal company to one company, and in the relation of a subsidiary company to some other company, or where there are several companies standing in the relation of subsidiary companies to one principal company, the court may deal with any number of such companies together or in separate groups, as it thinks most expedient, upon the principles laid down in this section.

5. *Valuation of annuities and policies.*] Where a life assurance company is being wound up by the court, or subject to the supervision of the court, or voluntarily, the value of every life annuity and life policy requiring to be valued in such winding up shall be estimated in manner provided by the First Schedule to this Act, but this section shall not apply to any company the winding up of which has commenced before the passing of this Act, unless the court having cognizance of the winding up so order, which order, that court is hereby empowered to make, if it think it expedient so to do, on the application of any person interested in the winding up of such company.

6. *Rules in First and Second Schedules to be rules of Court.*] The rules in the First and Second Schedules to this Act shall be of the same force as if they were rules made in pursuance of the one hundred and seventieth, one hundred and

seventy-first, and one hundred and seventy-third sections of "The Companies Act, 1862," as the case may be, and may be altered in manner provided by the said sections, and rules may be made under the said sections, for the purpose of carrying into effect the provisions of this Act with respect to the winding up of companies.

7. *Regulation as to vocations by policy holders.* Where a company, either before or after the passing of this Act, has transferred its business to or been amalgamated with another company, no policy holder in the first-mentioned company who shall pay to the other company the premiums accruing due in respect of his policy shall by reason of any such payment made after the passing of this Act, or by reason of any other act done after the passing of this Act, be deemed to have abandoned any claim which he would have had against the first-mentioned company on due payment of premiums to such company, or to have accepted in lieu thereof the liability of the other company, unless such abandonment and acceptance have been signified by some writing signed by him or by his agent lawfully authorised.

8. *Construction and short title.* This Act shall be construed as one with the Life Assurance Companies Acts, 1870 and 1871; and these Acts and this Act may be cited together as "The Life Assurance Companies Acts, 1870 to 1872;" and this Act may be cited as "The Life Assurance Companies Act, 1872."

FIRST SCHEDULE.

Rule for valuing an Annuity.

An annuity shall be valued according to the tables used by the company which granted such annuity at the time of granting the same, and where such tables cannot be ascertained or adopted to the satisfaction of the court, then according to the table known as the Government Annuities Experience Table interest being reckoned at the rate of four per centum per annum.

Rule for valuing a Policy.

The value of the policy is to be the difference between the present value of the reversion in the sum assured on the decease of the life, including any bonus or addition thereto made before the commencement of the winding up and the present value of the future annual premiums.

In calculating such present values the rate of interest is to be assumed as being four per centum per annum, and the rate of mortality as that of the tables known as the seventeen offices experience tables.

The premium to be calculated is to be such premium as according to the said rate of interest and rate of mortality is sufficient to provide for the risk incurred by the office in issuing the policy, exclusive of any addition thereto for office expenses and other charges.

SECOND SCHEDULE.

Where an assurance company is being wound up by the court or subject to the supervision of the court, the official liquidator in the case of all persons appearing by the books of the company to be entitled to or interested in policies granted by such company, for life assurance, endowment, annuity, or other payment, is to ascertain the value of such policies, and give notice of such value to such persons, and any person to whom notice is so given shall be bound by the value so ascertained unless he gives notice of his intention to dispute such value in manner and within a time to be prescribed by a rule or order of the court.

CAP. XLII.

An Act to amend an Act passed in the session of Parliament held in the sixteenth and seventeenth years of the reign of Her present Majesty for enabling Grand Juries in Ireland to borrow money from private sources on the security of Presentment, and for transferring to counties certain works constructed wholly or in part with public money.

[6th August, 1872.]

CAP. XLIII.

An Act to enable the Board of Trade to dispense with certain provisions of the Tramways Act, 1870, in respect of certain Provisional Orders.

[6th August, 1872.]

CAP. XLIV.

An Act to abolish the office of Accountant General of the High Court of Chancery in England, and to amend the law respecting the investment of money paid into that Court, and the security and management of the moneys and effects of the suitors thereof.

[6th August, 1872.]

Whereas it is expedient to abolish the office of the Accountant General of the High Court of Chancery in England, and to make provision respecting the transaction of the business of the office of the said Accountant General, and the securing on the Consolidated Fund and managing the moneys, effects, and securities of the suitors of the said court.

And whereas the Commissioners acting under a commission issued by Her Majesty to inquire amongst other matters into the provisions for the custody and management of the stocks and funds of the Court of Chancery of England, and to suggest improvements therein, by their report, dated the seventeenth of February one thousand eight hundred and sixty-four, reported that it was expedient to establish a deposit account for suitors' moneys in the Court of Chancery, and to allow to the suitors interest at the rate of two per cent. per annum upon the moneys belonging to them whilst in the custody of the court, but without depriving them of the right to require the investment thereof at any time on their own behalf and at their own risk:

And whereas it is expedient to provide for the establishment of such deposit account:

Be it enacted, &c., as follows (that is to say):

Preliminary.

1. *Short title.* This Act may be cited as "The Court of Chancery (Funds) Act, 1872."

2. *Commencement of Act.* This Act shall, save as regards the making of rules and general orders as hereinafter mentioned, come into operation upon a day to be fixed by a rule to be made under this Act in that behalf, which day is hereinafter referred to as the commencement of this Act, and as to the making of any rules and general orders thereunder this Act shall come into operation on the day of the passing thereof.

3. *Definitions.* In this Act—

The term "the Treasury" means the Commissioners of Her Majesty's Treasury for the time being, or any two or more of them:

The term "Court of Chancery" means the High Court of Chancery of England, and includes the Lord Chancellor and any other judge intrusted with the care and commitment of the custody of the persons and estates of persons found idiot, lunatic, or of unsound mind:

The term "order of the Court of Chancery" means such order, decree, report, certificate, or direction of the Court of Chancery as defined by this Act, or any judge or officer thereof, as may be prescribed by a rule made under this Act:

The term "general order of the Court of Chancery" means a general order made by the Lord Chancellor, either alone or with the assistance of other judges, and either in Chancery or in Lunacy:

The term "person" includes a body corporate and company:

The term "dividends" includes interest or other periodical produce:

The term "Government securities" means any annuities, exchequer bonds, exchequer bills, and other parliamentary securities of the Government of the United Kingdom:

The term "securities" includes Government securities and any security of any foreign state, any part of Her Majesty's dominions out of the United Kingdom, or any body corporate, or company, or standing in books kept by any body corporate, company, or person in the United Kingdom, and all stock funds and effects:

The term "securities in court" means any securities as defined by this Act standing or deposited in the name or to the credit or account of the Accountant General of the Court of Chancery, or of the Paymaster General on behalf of the Court of Chancery, or placed to the credit of a cause, matter, or account in that Court:

The term "money in court" means any sum of money paid into the Bank of England with the privy of the Accountant General of the Court of Chancery or of the Paymaster General on behalf of the Court of Chancery, or placed to the credit of any cause, matter, or account, in the Court of Chancery, and includes dividends on securities in court and interest on money on deposit.

Accountant General's Office.

4. *Abolition of office of Accountant General of the Court of Chancery, and performance of duties by Paymaster General.* On the commencement of this Act the office of the Accountant General of the Court of Chancery shall be abolished, and Her Majesty's Paymaster General (in this Act referred to as the Paymaster General) for the time being shall perform all the duties and exercise all the powers and authorities which before the commencement of this Act were performed by or vested in or capable of being exercised by the Accountant General of the Court of Chancery: Provided that nothing in this Act shall render the Paymaster General incapable of being elected to or sitting or voting in the House of Commons, or cause a member of the House of Commons upon becoming Paymaster General to vacate his seat.

The Paymaster General may do any act, sign or execute any instrument, and exercise any authority required or authorised to be done, signed, executed, or exercised by him for the purposes of this Act, or any rule made thereunder, by a deputy or deputies appointed by him in writing under his hand.

5. *Liability of Consolidated Fund for default of Paymaster General.* The Consolidated Fund of the United Kingdom, shall be liable to make good to the suitors of the Court of Chancery all money in court and all securities in court, whether the same have been paid, transferred or deposited into or in court before or after the commencement of this Act, and all money and securities vested in the Paymaster General for the time being by or in pursuance of this Act; and if the Lord Chancellor, either with or without a representation made to him by any suitor of the Court of Chancery, certifies to the Treasury in writing that the Paymaster General has failed to pay any money in court, or transfer or deliver any securities in court, required by any order of the Court of Chancery to be paid, transferred, or delivered from his account, or has been guilty of any default with respect to such money or securities, the Treasury shall cause to be paid out of the growing produce of the Consolidated Fund into the Bank of England, to the credit of the Paymaster General for the time being on behalf of the Court of Chancery, such sum of money as may be certified by the Lord Chancellor in writing to be required to pay the money so required to be paid, or to replace the securities so required to be transferred or delivered or make good such default.

6. *Construction of Acts, &c., referring to Accountant General.* Where under any Act (whether passed before or after the commencement of this Act), or otherwise, any money or securities would, if this Act had not passed, be capable of being paid, transferred, or deposited to or into or in the name of or to the account or credit of or with the privy of the Accountant General of the Court of Chancery, or the Accountant General of the Court of Exchequer, or to or into or in the Court of Chancery, the same shall after the commencement of this Act be paid, transferred, or deposited to the credit or account of or with the privy of the Paymaster General for the time being on behalf of the Court of Chancery, and shall be subject to the like trusts, orders, directions, powers, and provisions as if he were the Accountant General of the Court of Chancery or Court of Exchequer, as the case may be, and the orders of the Court of Chancery relating thereto shall have the same effect as the like orders of the Court of Chancery or Court of Exchequer would have had if this Act had not passed.

All Acts of Parliament, all rules and orders made in pursuance of any Act of Parliament, all general orders of the Court of Chancery, all orders of the Court of Chancery, and all instruments and proceedings of every description referring to the Accountant General of the Court of Chancery or Court of Exchequer, shall, subject to the provisions of this Act and of any rule made thereunder, be construed and put into execution as if the Paymaster General for the time being were therein named or referred to in place of such Accountant General, so however that all money

and securities shall be paid, transferred, or deposited to the credit or account of the Paymaster General for the time being on behalf of the Court of Chancery, and not into the name of the person who is such Paymaster General.

Provided that nothing in this section shall affect the Queen's Remembrancer, or the performance by him of any duties formerly performed by the Accountant General of the Court of Exchequer, or apply to any act, rule, order, instrument, or proceeding relating to such duties.

7. *Framing of orders.* All general orders of the Court of Chancery, and all orders of the Court of Chancery, and all instruments and proceedings relative to business of the Court of Chancery to be transacted by the Paymaster General in pursuance of this Act (in this Act referred to as Chancery business) shall, after the commencement of this Act, be framed and expressed in such manner as may be necessary for carrying the provisions of this Act with respect to the Accountant General and Paymaster General into effect.

8. *Office of Paymaster General for Chancery business.* The Treasury shall cause the Paymaster General to keep, in the neighbourhood of the place where the Court of Chancery ordinarily holds its sittings, an office for the purpose of carrying on Chancery business, and for making for the purpose of Chancery business payments of small amount in cash, and shall from time to time provide such clerks and officers as are necessary for conducting such business and making such payments.

9. *Vesting of property in Paymaster General for time being.* 12 G. 1, c. 32, s. 7; 54 G. 3, c. 14.] All securities and money vested in the Paymaster General in pursuance of this Act shall vest in the Paymaster General for the time being on behalf of the Court of Chancery without any conveyance, assignment, or transfer, notwithstanding the death or removal from office of the person who is Paymaster General, and shall be held by him in trust to attend the orders of the Court of Chancery, and all Acts done by the Paymaster General with reference to such securities and money in pursuance of an order of the Court of Chancery shall be valid and effectual.

10. *Transfer of securities and receipt of dividends.* All securities from time to time transferred, standing, or deposited into, in, or to the account of the Paymaster General in pursuance of this Act, shall be held by the Paymaster General in trust in the several causes and matters in which such securities are transferred, standing, or deposited respectively, and shall not be transferred, sold, or delivered out except in pursuance of an order of the Court of Chancery, but the certificate of a registrar of the Court of Chancery or of a master or registrar in lunacy countersigned by the Paymaster General shall be sufficient evidence of the order referred to in the certificate, and of the directions contained in such order, and shall be a necessary and sufficient authority to the Governor and Company of the Bank of England and every person for transferring on sale or otherwise or delivering out any securities standing in the books of or deposited with such bank or person to the credit or account of the Paymaster General for the time being on behalf of the Court of Chancery, and the securities directed by any such certificate to be transferred or delivered out shall be transferred or delivered out accordingly on behalf of the Paymaster General by some officer of such bank or person.

The Governor and Company of the Bank of England shall, by one of their cashiers or some other proper officer, from time to time receive all dividends accruing due on all securities which are standing to the account of the Paymaster General for the time being on behalf of the Court of Chancery, of which a certificate has been sent to them by the Paymaster General, and shall also receive any principal money payable in respect of any of such securities, and the said certificate shall be a sufficient authority to them to receive such dividends and principal money; and any receipt given by the said Governor and Company, or one of their cashiers or other proper officer, for any dividends on any securities standing to the said account, or any principal money payable in respect of any such securities, shall be a good discharge for the same; and the said Governor and Company shall place all money received by them in pursuance of this section to the credit of the Paymaster General for the time being, on behalf of the Court of Chancery.

11. *Application of 16 & 17 Vict. c. 59 to cheques, &c., of Paymaster General.* [Section nineteen of the Act of the session of the sixteenth and seventeenth years of the reign of Her present Majesty, chapter fifty-nine, intituled "An Act to repeal certain stamp duties, and to grant others in lieu thereof, to amend the laws relating to stamp duties, and to make perpetual certain stamp duties in Ireland" (which section relates to the endorsement of drafts or orders drawn upon bankers for the payment of money), shall extend to any document issued by the Paymaster General in pursuance of this Act, which authorises the payment of money.]

12. *Forgery of signature of Paymaster General or his deputy.* 24 & 25 Vict. c. 98, s. 33.] The provisions of the Act of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, chapter ninety-eight, intituled "An Act to consolidate and amend the Statute Law of England and Ireland relating to indictable offences by forgery," which have reference to the forging or altering of any instrument made or purporting to be made by the Accountant General of the Court of Chancery, shall apply to every instrument made, signed, or countersigned, or purporting to be made, signed, or countersigned, by the Paymaster General, or any deputy, clerk, or officer of the Paymaster General, and to the forgery and alteration of any signature or countersignature of such Paymaster General, deputy, clerk, or officer.

13. *Indemnity to Bank of England.* [Nothing in this Act shall be deemed to require the Governor and Company of Bank of England to keep the account of the Paymaster General on behalf of the Court of Chancery otherwise, and the Governor and Company of the Bank of England are hereby indemnified for all acts and things done or permitted to be done in pursuance of this Act, or of any rule purporting to be made thereunder, or of any order of the Court of Chancery made or purporting to be made in pursuance of this Act or of any such rule, or done or permitted to be done in pursuance of any certificate signed and countersigned as directed by this Act, and such Acts and things respectively shall not be questioned or impeached in any court of law or equity to the detriment of such Governor and Company.]

Deposit Account.

14. *Establishment of suitors deposit account.* [Save as otherwise provided by any rule made under this Act, all money in court paid in either before or after the commencement of this Act shall, subject to the provisions of this Act and of any rule made thereunder, be placed on deposit, and in the case of money in court paid in after the commencement of this Act without any application or request for that purpose, and when so placed on deposit shall bear interest at the rate of two per cent. per annum together with any income tax chargeable thereon.]

Any money which may at any time be standing to the credit of the Paymaster General on behalf of the Court of Chancery beyond the amount which the Paymaster General considers to be required for meeting current demands shall be placed in the hands of the Commissioners for the Reduction of the National Debt, who shall from time to time pay to the credit of the Paymaster General on behalf of the Court of Chancery such sum as, with the money to the like credit may be certified by him to be required to meet current demands, and the Consolidated Fund of the United Kingdom shall be liable to make good all money so placed in the hands of the Commissioners for the Reduction of the National Debt, and the interest payable on sums placed on deposit, in like manner as it is liable to make good money in Court.

15. *Saving for investments made under order of court.* [Any money in court paid in either before or after the commencement of this Act which under any general order of the Court of Chancery or rule under this Act, or under an order of the Court of Chancery, is required to be laid out in any particular investment, shall, subject to any rule made under this Act, be so laid out notwithstanding anything in this Act.]

16. *Conversion of stock and transfer of value thereof to deposit account.* [Where any securities, whether transferred, deposited, or purchased before or after the commencement of this Act, are standing to the account of the Paymaster General for the time being on behalf of the Court of Chancery, an order of the Court of Chancery made in the cause or matter in which such securities are standing may, if it be deemed expedient, direct the same to be converted into

cash, and also direct such cash to be placed on deposit as money in court.]

Where such order refers to Government securities, such securities shall, unless it is otherwise directed by such order, be transferred to the Commissioners for the Reduction of the National Debt and be deemed to be so transferred as at the value on the day of such transfer, ascertained as prescribed by a rule under this Act, and on such transfer taking place such value shall be deemed to be money placed in the hands of the said Commissioners, and the securities so transferred shall be deemed to be securities purchased by the Commissioners with the money so placed in their hands.

17. *Application of money placed in the hands of the Commissioners for the Reduction of the National Debt.* [The Commissioners for the Reduction of the National Debt, subject to the directions of the Treasury, shall from time to time invest all money placed in their hands in pursuance of this Act in Government securities, and shall, out of the dividends arising on the securities purchased with money so placed in their hands, and on the securities (if any) purchased with the accumulation of such dividends, pay the sums payable by them under this Act, and invest any residue thereof in Government securities, and may from time to time change any such securities into Government securities of another description of equivalent value.]

If at any time the money in the hands of the Commissioners for the Reduction of the National Debt under this Act is insufficient to pay the amount payable by them in pursuance of this Act, the Treasury either shall direct the said Commissioners to realise a sufficient portion of the securities so purchased as aforesaid, and apply the proceeds of such realisation in paying the amount so payable by them, or shall cause the required sum to be issued to the said Commissioners out of any money applicable to the sinking fund, or out of the growing produce of the Consolidated Fund.

Rules and Accounts.

18. *Rules for regulating proceedings.* See 12 G. 1, c. 32, and 32 & 33 Vict. c. 91.] The Lord Chancellor, with the concurrence of the Treasury, may from time to time make rules for carrying this Act into effect, and regulating the deposit, payment, delivery, and transfer in, into, and out of the Court of Chancery of money and securities which belong to the suitors of that Court, or are otherwise capable of being deposited in or paid or transferred into that Court, or in or into the Bank of England with the privity of the Paymaster General, or are under the custody of the Court of Chancery, and the evidence of such deposit, payment, delivery, or transfer, and the investment of and other dealing with money and securities in court in pursuance of the orders of the Court of Chancery, and the execution of the orders of the Court of Chancery and the powers and duties of the Paymaster General with reference to such money and securities, and in particular for doing all or any of the following things:

1. Carrying into effect the transfer of the office of the Accountant General to the Paymaster General;
2. Regulating the mode in which the Paymaster General is to deal with money and securities in pursuance of the orders of the Court of Chancery, and the mode in which effect is to be given to an order of the Court of Chancery which is to be executed by or through the office of the Paymaster General for Chancery business, and generally the arrangements between that office and the Court of Chancery and the officers thereof, and the certificates and information to be given by the Paymaster General with reference to Chancery business;
3. See 12 G. 1, c. 32, ss. 3-6.] Regulating the deposit, payment, sale, transfer, and delivery, with, to, and by the Paymaster General of the said money and securities, and the proceedings, evidence, and duties of persons in relation thereto;
4. Determining the mode of ascertaining the value of Government securities transferred to the Commissioners for the Reduction of the National Debt, or otherwise ordered to be dealt with by the Paymaster General;
5. Regulating the placing on and withdrawal from deposit of money in court, whether paid in before or after the commencement of this Act, and the payment or crediting of interest on money placed on deposit;
6. Determining the smallest amount which is to be in-

vested in securities, unless directed to be vested notwithstanding the smallness of the amount, and determining the smallest amount which is to be placed or remain on deposit, and the smallest amount of money on deposit on which interest in pursuance of this Act is to be credited to an account to which money placed on deposit belongs:

7. Determining the time at which money in court is to be placed on deposit, and at which interest on money so placed on deposit is to begin and cease, and the mode of computing such interest:
8. Determining the cases in which interest on money placed on deposit, and the dividends on any securities standing to the account of the Paymaster General on behalf of the Court of Chancery, is or are to be placed on deposit:
9. Dealing with accounts on which the balance of money and securities together is less than five pounds, and providing for the periodical publication of a list of the accounts not dealt with for a period of at least fifteen years:
10. Regulating the mode of framing and expressing orders of the Court of Chancery, instruments and proceedings relative to the Chancery business of the Paymaster General:
11. Abrogating any general orders of the Court of Chancery relative to the matters aforesaid:
12. Revoking and altering any rules previously made.

Every rule purporting to be made in pursuance of this section shall come into operation at the date of such rule or any later date therein in that behalf mentioned, and have effect as if it were enacted in this Act.

19. *General orders.* The Lord Chancellor, with the advice and assistance as regards lunacy of the Lords Justices of the Court of Appeal in Chancery, or one of them, and as regards Chancery of the Master of the Rolls, the said Lords Justices, and the Vice-Chancellors, or any two of them, may from time to time make general orders for regulating the procedure and practice of the Court of Chancery for the purpose of carrying into effect this Act and any rules made thereunder, and may from time to time revoke and alter any orders previously made under this section. Every such order shall have effect as a general order of the Court of Chancery.

Laying of rules and general orders before Parliament. Every rule and general order purporting to be made in pursuance of this Act shall immediately after the making thereof be laid before both Houses of Parliament, if Parliament be then sitting, or if Parliament be not then sitting within seven days after the then next meeting of Parliament; and if either House of Parliament, by a resolution passed within one month after such rule or general order has been so laid before the said House, resolve that the whole or any part of such rule or general order ought not to continue in force, the same shall, after the date of such resolution, cease to be of any force, without prejudice nevertheless to the making of any other rule or general order in its place, or to anything done in pursuance of such rule or general order before the date of such resolution; but, subject as aforesaid, every such rule or general order purporting to be made in pursuance of this Act shall after the expiration of the said month be deemed to have been duly made, and to have been within the powers of this Act.

20. *Accounts and audit.* The Treasury shall cause to be kept by such persons and in such manner as they may from time to time direct accounts for the purposes of this Act including all such accounts as may be necessary for carrying into effect the orders of the Court of Chancery, and shall cause separate accounts to be kept of the transactions under this Act of the Paymaster General and the Commissioners for the Reduction of the National Debt, and of the liability of the Consolidated Fund under this Act, and shall cause all accounts kept in pursuance of this section, or such of them as the Treasury may from time to time think practicable, to be audited as public accounts in such manner as the Treasury may from time to time direct, by or under the direction of the Controller and Auditor General: Provided that no question need be raised in such audit with respect to transactions before the commencement of this Act, or such later date as the Treasury may direct.

Every minute of the Treasury containing any direction with respect to the audit of such accounts shall be laid before both Houses of Parliament within one month after it

is made, if Parliament be then sitting, or if Parliament be not then sitting within one month after the then next meeting of Parliament.

The Controller and Auditor General shall in every year prepare and send to the Treasury a report on the accounts audited by him in pursuance of this Act, together with a balance sheet of the receipts and expenditure during that year of the Paymaster General on behalf of the Court of Chancery, and the Treasury shall cause such report and balance-sheet, together with a general statement of the securities and money in court, to be sent to the Lord Chancellor and laid before both Houses of Parliament.

Buildings.

21. *Transfer of buildings.* 15 G. 3, c. 22. 15 G. 3, c. 56. 5 & 6 Vict. c. 103, s. 29. 28 & 29 Vict. c. 48 s. 23. See 52 G. 3, c. liv. (L. & P.) s. 4. All land and buildings vested in the Accountant General of the Court of Chancery upon trust for the offices of the Accountant General and Registrars or otherwise in trust for any offices of the Court of Chancery, and all lands and buildings purchased as additions to the office of the Accountant General or the Registrars, whether vested in the Accountant General or in Her Majesty, shall on the commencement of this Act vest in the Commissioners of Her Majesty's Works and Public Buildings, as incorporated by the Act of the session of the fifteenth and sixteenth years of the reign of Her present Majesty, chapter twenty-eight, intitled "An Act to amend an Act of the fourteenth and fifteenth years of Her present Majesty for the direction of public works and buildings, and to vest the buildings appropriated for the accommodation of the supreme courts of justice in Edinburgh in the Commissioners of Her Majesty's Works and Public Buildings," to be held by them for the public service, as if they were lands and buildings vested in them by that Act, and discharged, except as mentioned in this section, from all subsisting trusts declared with respect thereto: Provided that—

1. The said Commissioners shall not take possession of any part or parts of the said land and buildings that are at the commencement of this Act occupied for legal purposes until the Lord Chancellor certifies to the said Commissioners in writing that in his opinion "such part or parts is or are no longer required for such purposes:
2. 28 & 29 Vict. c. 48.] The said Commissioners shall hold the said land and buildings subject to the provisions of section twenty-three of the Courts of Justice Building Act, 1865, or such of them as may be applicable thereto.

Temporary Provisions.

22. *Pension to present Accountant General.* The person who at the passing of this Act is the Accountant General of the Court of Chancery shall, after the commencement of this Act, receive during his life by way of retiring pension such amount as the Lord Chancellor shall, with the approval of the Treasury, deem proper under the special circumstances of the case, provided that such amount shall not exceed the present salary and emoluments of the said office.

23. *Existing officers of Accountant General.* All clerks and officers who at the commencement of this Act are attached to the office of the Accountant General of the Court of Chancery, shall, on the commencement of this Act, be transferred to the office of the Paymaster General for Chancery business, and shall hold their offices under the Treasury upon the like terms and conditions as to rank, promotion, tenure, salaries, and pensions (if any), as at the commencement of this Act they held the same under the Accountant General or the Lord Chancellor, but subject to the directions of the Treasury they shall be under the control of the Paymaster General in like manner as other clerks and officers in the office of the Paymaster General, and shall perform such duties in relation to any business in that office as the Treasury may from time to time direct.

24. *Transfer of securities to Paymaster General and alteration of accounts at Bank of England, &c.* On the commencement of this Act all securities and money (except the Bank annuities hereinafter directed to be transferred to the Commissioners for the Reduction of the National Debt, and the dividends on such annuities), then vested in the Accountant General of the Court of Chancery as such,

and all books and property appertaining to the office of the said Accountant General shall, without any conveyance, assignment, or transfer, and without any draft from the said Accountant General or act to be done by him, vest in the Paymaster General; and the Governor and Company of the Bank of England and all other persons shall make such alterations in any books kept by them as may be directed by the Treasury for the purpose of substituting the account of the Paymaster General for the time being on behalf of the Court of Chancery for the name of the Accountant General of the Court of Chancery. Such of the books containing the accounts of the suitors of the Court of Chancery, which in pursuance of any Act of Parliament have been kept in the Chancery Office at the Bank of England, as the Treasury may from time to time require, shall be delivered to such person in such manner and under such regulations and upon such terms as may be agreed on between the Treasury and the Governor and Company of the Bank of England.

25. *Provision as to certain slave compensation funds standing in the name of the Accountant General.*

Repeal.

26. *Repeal of Acts.*] The Acts specified in the first part of Schedule Two to this Act are hereby repealed, and the

Acts specified in the second part of the same schedule are hereby repealed to the extent in the third column in that part of the schedule mentioned.

Provided that this repeal shall not—

1. Affect anything done or suffered before the commencement of this Act, or any right acquired or accrued before the commencement of this Act, or any order made before the commencement of this Act, under the said Acts or any of them, or revive any office or right thereby abolished; or,
2. Affect the title to, or estate in, any land purchased in pursuance of the said Acts or any of them, or the application of any compensation money paid in respect of such land, or any easements or privileges, or payable under the Acts mentioned in Schedule One to this Act; or,
3. Affect the right of any person to receive or obtain such salary, compensation, retiring annuity, pension, superannuation allowance, or emolument as he might have received or obtained if this Act had not passed, or the duty of any person to perform, if required, the same acts or duties as he might have been required to perform if this Act had not passed.

SCHEDULES.

SCHEDULE ONE.

ACTS RELATING TO SLAVE COMPENSATION.

SCHEDULE TWO.

Portions of Acts which have already been specifically repealed are included in the repeal in this schedule, in order to preclude henceforth the necessity of looking back to previous Acts.

PART I.

ACTS WHOLLY REPEALED.

Session and Chapter.	Title of Act.
12 Geo. 1, c. 32 ...	An Act for better securing the moneys and effects of the suitors of the Court of Chancery, and to prevent the counterfeiting of East India Bonds and indorsements thereon, as likewise indorsements on South Sea Bonds.
12 Geo. 1, c. 33 ...	An Act for relief of the suitors of the High Court of Chancery.
32 Geo. 3, c. 42 ...	An Act to empower the High Court of Chancery to lay out a further sum of the suitors money upon proper securities, and for applying the interest towards discharging the expenses of the office of the Accountant General, and for building offices for the Masters in Ordinary in Chancery, and a public office for the suitors of the said Court, and offices for the secretaries of bankrupts and lunatics, and for building repositories for securing the title deeds of the suitors of the said Court, and the records and proceedings of the Commissioners of Bankrupts and Lunatics.
37 Geo. 3, c. 135 ...	An Act to explain and amend an Act passed in the thirty-sixth year of his Majesty's reign, intituled "An Act for repealing certain duties on legacies and shares of personal estate, and for granting other duties thereon in certain cases."
52 Geo. 3, c. liv. ... (Local.)	An Act for making further provision for the clerks in the office of the Accountant General of the Court of Chancery after a certain length of service.
54 Geo. 3, c. 14 ...	An Act to provide that property vested in the Accountant General of the High Court of Chancery as such shall upon his death removal, or resignation, vest from time to time in those who shall succeed to the office.
55 Geo. 3, c. lxiv. ... (Local.)	An Act for making futher provision for the secretary and usher to the Vice-Chancellor of England and for the clerks in the office of the Accountant General of the High Court of Chancery, and for providing additional clerks for the said office.
58 Geo. 3, c. lxxx. ... (Local.)	An Act to provide additional salaries to the present clerks in the Report Office of the High Court of Chancery, and to provide additional clerks for the said office, and for making further provision for the clerks in the said office.
59 Geo. 3, c. xxvii. ... (Local.)	An Act to alter and amend two Acts of his present Majesty's reign for making further provision for certain officers of the High Court of Chancery.
9 & 10 Vict. c. 81 ...	An Act for regulating the deduction at the Bank of England of Income Tax Duty in respect of certain offices.

[And certain Acts relating to slave compensation.]

PART II.

ACTS PARTLY REPEALED.

A description of part of an Act is inclusive of the words and sections first or last mentioned, or referred to as forming the beginning or end of the portion described.

Portions of Acts not expressly repealed are sometimes excepted from repeal in this part of this schedule, although they may either wholly or in part have become obsolete or otherwise have ceased to be in force.

Session and Chapter.	Title of Act.	Extent of Repeal.
36 Geo. 3, c. 52 ...	An Act for repealing certain duties on legacies and shares of personal estates and for granting other duties thereon in certain cases.	So much of section thirty-two as requires the Accountant General to invest the money therein mentioned in the purchase of Three per Cent. Consolidated Bank Annuities or to give any certificate.
3 Geo. 4, c. 69 ...	An Act to enable the judges of the several Courts of Record at Westminster to make regulations respecting the fees of the officers, clerks, and ministers of the said Courts.	Section one from the words, "for the Lord Chancellor" down to the words "Vice-Chancellor; respectively and," and so much of the rest of the Act as relates to that part of section one.
3 & 4 Will. 4, c. 73	An Act for the abolition of slavery throughout the British colonies, for promoting the industry of the manumitted slaves, and for compensating the persons hitherto entitled to the services of such slaves.	Sections twenty-four to sixty.
5 Vict. c. 5 ...	An Act to make further provisions for the administration of justice.	Sections seven to sixteen, and sections seventeen, from the words, "shall on the fifteenth day of October," down to the words "and other proceedings," and sections fifty to fifty-five and fifty-seven.
10 & 11 Vict. c. 96	An Act for better securing Trust Funds and for the relief of trustees.	Section three.
15 & 16 Vict. c. 80	An Act to abolish the office of Master in Ordinary of the High Court of Chancery, and to make provision for the more speedy and efficient despatch of business in the said court.	Section fifty-nine.
15 & 16 Vict. c. 87	An Act for the relief of the suitors of the High Court of Chancery.	The whole Act, except sections one, three to five, fifteen, sixteen, twenty-one, twenty-three to twenty-six; section twenty-nine, down to the words "better despatch of business;" and sections thirty-five, thirty-seven, thirty-eight, forty, forty-one, forty-two, forty-six, forty-seven, forty-nine, fifty-two, and fifty-five.
16 & 17 Vict. c. 98	An Act for the further relief of the suitors of the High Court of Chancery.	The whole Act, except section eleven.
30 & 31 Vict. c. 87	The Court of Chancery (Officers) Act, 1867 ...	Sections eleven and twelve.
32 & 33 Vict. c. 91	The Courts of Justice (Salaries and Funds) Act, 1869.	Sections four to seven.

CAP. XLV.

An Act to carry into effect a Treaty between Her Majesty and the United States of America.

[6th August, 1872.]

CAP. XLVI.

An Act to make further provision for Arbitration between Masters and Workmen. [6th August, 1872.]

Whereas by the Act of the fifth year of George the Fourth, chapter ninety-six, intituled "An Act to consolidate and amend the laws relative to the arbitration of disputes between masters and workmen," hereinafter referred to as the "principal Act," provision is made for the arbitration in a mode therein prescribed of certain disputes between masters and workmen:

And whereas it is expedient to make further provision for arbitration between masters and workmen:

Be it enacted, &c., as follows:—

1. *As to agreements under this Act.* The following provisions shall have effect with reference to agreements under this Act:

1. An agreement under this Act shall either designate some board, council, persons or person as arbitrators or arbitrator, or define the time and manner of appointment of arbitrators or of an arbitrator; and shall designate, by name or by description of office or otherwise, some person to be, or some person or persons (other than the arbitrators or

arbitrator) to appoint an umpire in case of disagreement between arbitrators:

2. A master and a workman shall become mutually bound by an agreement under this Act (hereinafter referred to as "the agreement") upon the master or his agent giving to the workman and the workman accepting a printed copy of the agreement:

Provided that a workman may, within forty-eight hours after the delivery to him of the agreement, give notice to the master or his agent that he will not be bound the agreement, and thereupon the agreement shall be of no effect as between such workman and the master:

3. When a master and workman are bound by the agreement they shall continue so bound during the continuance of any contract of employment and service which is in force between them at the time of making the agreement, or in contemplation of which the agreement is made, and thereafter so long as they mutually consent from time to time to continue to employ and serve without having rescinded the agreement. Moreover, the agreement may provide that any number of days' notice, not exceeding six, of an intention on the part of the master or workman to cease to employ or be employed shall be required, and in that case the parties to the agreement shall continue bound by it respectively until the expiration of the required number of days after such notice has been given by either of the parties.

4. The agreement may provide that the parties to it

shall, during its continuance, be bound by any rules contained in the agreement, or to be made by the arbitrators, arbitrator, or umpire as to the rate of wages to be paid, or the hours or quantities of work to be performed, or the conditions or regulations under which work is to be done, and may specify penalties to be enforced by the arbitrators, arbitrator, or umpire for the breach of any such rule:

5. The agreement may also provide that in case any of the following matters arise they shall be determined by the arbitrators or arbitrator, viz.:

a. Any such disagreement or dispute as is mentioned in the second section of the principal Act; or

b. Any question, case, or matter to which the provisions of the Master and Servant Act, 1867, apply;

and thereupon in case any such matter arises between the parties while they are bound by the agreement the arbitrators, arbitrator, or umpire shall have jurisdiction for the hearing and determination thereof, and upon their or his hearing and determining the same no other preceeding shall be taken before any other court or person for the same matter; but if the disagreement or dispute is not so heard and determined within twenty-one days from the time when it arose, the jurisdiction of the arbitrators, arbitrator, or umpire shall cease, unless the parties have, since the arising of the disagreement or dispute, consented in writing that it shall be exclusively determined by the arbitrators, arbitrator, or umpire:

A disagreement or dispute shall be deemed to arise at the time of the act or omission to which it relates:

6. The arbitrators, arbitrator, or umpire may hear and determine any matter referred to them in such manner as they think fit, or as may be prescribed by the agreement:
7. The agreement, and also any rules made by the arbitrators, arbitrator, or umpire in pursuance of its provisions, shall in all proceedings as well before them as in any court be evidence of the terms of the contract of employment and service between the parties bound by the agreement:
8. The agreement shall be deemed to be an agreement within the meaning of the thirteenth section of the principal Act for all the purposes of that Act:
9. If the agreement provides for the production or examination of any books, documents, or accounts, subject or not to any conditions as to the mode of their production or examination, the arbitrators, arbitrator, or umpire may require the production or examination (subject to any such conditions) of any such books, documents or accounts in the possession or control of any person summoned as a witness, and who is bound by the agreement and the provisions of the principal Act, for compelling the attendance and submission of witnesses, shall apply for enforcing such production or examination.
2. *Short title.* This Act may be cited as "The Arbitration (Masters and Workmen) Act, 1872."

CAP. XLVII.

An Act to amend the Act of the thirtieth and thirty-first years of Victoria, chapter eighty-five, intituled "An Act to include the whole of the Burgh of Galashiels within the County, Sherifdom, and Commissariat of Selkirk." [6th August, 1872.

CAP. XLVIII.

An Act to amend the Law relating to the defining of Boundaries of Counties and other Divisions and Denominations of Land in Ireland. [6th August, 1872.

CAP. XLIX.

An Act to provide for the free Use of Seats in certain Churches. [6th August, 1872.

Whereas it is expedient that church seats which are

intended by the founders or promoters of the churches to which they shall belong to be free from pew or seat rent shall so continue:

Be it therefore enacted, &c., as follows:

1. *Short title.* This Act may be cited for all purposes as "The Church Seats Act, 1872."

2. *Ecclesiastical Commissioners may accept a church site under a grant in which it is declared that pews or seats shall not be let.* It shall be lawful for the Ecclesiastical Commissioners, in the exercise and fulfilment of the powers and duties conferred or imposed upon them by the Acts administered by them or any or either of the same Acts, to accept a church site under a grant or conveyance in which it is declared that the pews or seats in the church erected or to be erected on the same site, or some specified portion of the same pews or seats, shall not be let for any payment of money, and thereupon it shall be unlawful to let the same pews or seats or portion of the same for payment of money.

3. *Securing stipend to incumbent when seats are wholly or partially free.* In every case in which it is so declared that no portion of the pews or seats shall be let for any payment of money, a sufficient endowment or stipend of not less than one hundred pounds per annum shall be secured to the incumbent by or to the satisfaction of the Ecclesiastical Commissioners, and in every case in which a portion only of the pews or seats may not be so let, an endowment or stipend of such amount as the said Commissioners may determine, regard being had to the proportion of pews or seats which may not be so let, shall be in like manner secured.

CAP. L.

An Act to protect Railway Rolling Stock from Distraint when on hire. [6th August, 1872.

Whereas it is expedient that protection from distress should in certain cases be extended to rolling stock:

Be it therefore enacted, &c., as follows:

1. *Short title.* This Act may be cited as The Railway Rolling Stock Protection Act, 1872.

2. *Interpretation of terms.* In this Act—

"Rolling stock" includes waggons, trucks, carriages of all kinds, and locomotive engines used on railways:

"Rent" includes royalty or other reservation in the nature of rent:

"Work" includes any colliery, quarry, mine, manufactory, warehouse, wharf, pier, or jetty, in or on which is any railway siding:

"Tenant" includes a lessee, sub-lessee, or other person having an interest in a work under a lease or agreement, or by use and occupation, or being otherwise liable to pay rent in respect of a work:

"Person" includes a body corporate:

"Court of summary jurisdiction" means any justices of the peace, metropolitan police magistrate, stipendiary magistrate, sheriff, sheriff substitute, or other magistrate or officer, by whatever name called, who is capable of exercising jurisdiction in summary proceedings for the recovery of penalties.

3. *Rolling stock protected from distress or sale in certain cases.* Rolling stock being in a work shall not be liable to distress for rent payable by a tenant of the work, if such rolling stock is not the actual property of such tenant, and has upon it a distinguishing metal plate affixed to a conspicuous part thereof, or a distinguishing brand or other mark conspicuously impressed or made thereon, sufficiently indicating the actual owner thereof.

4. *Remedy in case distress proceeded with.* Where any such rolling stock as aforesaid is distrained, a court of summary jurisdiction may make against the landlord such summary order for restoration of the rolling stock or for payment of the real value thereof, and respecting costs or otherwise, and may make against the person distraining such order in the matter, and respecting costs, as to the court seems just.

5. *Not to extend to protect tenant's interest in rolling stock.* This Act shall not extend to protect from distress the interest which any tenants may have in any rolling stock otherwise protected under this Act, but such interest may be distrained upon by the landlord and disposed of in the same manner as the whole interest of such tenant, if he had possessed

the same; and in case of disagreement between the landlord and the parties claiming such rolling stock as to the mode of disposing of such interest, the same shall be settled by the court of summary jurisdiction; and the court shall, on the application of either party, make such order therein as to the court shall seem fit.

6. *Appeal to quarter sessions.* If any party thinks himself aggrieved by any order or adjudication of a court of summary jurisdiction under this Act, or by dismissal of his complaint by any such court, he may appeal therefrom, subject to the conditions and regulations following; (that is to say,)

1. The appeal shall be made to some court of general or quarter sessions for the county or place in which the cause of appeal arises holden not less than fifteen days, and (unless adjourned by the court of appeal) not more than four months after the decision of the court of summary jurisdiction:

2. The appellant shall, within seven days after the cause of appeal has arisen, give notice to the other party and to the court of summary jurisdiction of his intention to appeal, and the ground thereof:

3. The appellant shall immediately after such notice enter into a recognizance before a justice of the peace, with two sufficient sureties, conditioned personally to try such appeal and to abide the judgment of the court thereon, and to pay such costs as may be awarded by the court, or give such other security, by deposit of money or otherwise, as the justice thinks fit to allow.

7. *Exclusion of certiorari.* No order or conviction of a court of summary jurisdiction under this Act shall be quashed for want of form, or be removed by certiorari or otherwise (at the instance either of the Crown or of any private party) into any superior court.

CAP. LI.

An Act for amending the Law relating to the Salaries of Judges. [6th August, 1872.]

Whereas it is expedient to amend the law relating to the salaries of judges, and in particular to provide that the salary of every judge in the United Kingdom is to begin from the date of his appointment as a judge, and not (as is in some instances the case) from the death or resignation of his immediate predecessors:

Be it enacted, &c., as follows:

1. *Short title.* This Act may be cited for all purposes as "The Judges Salaries Act, 1872."

2. *Commencement and payment of judicial salaries.* Notwithstanding anything contained in any Act of Parliament, the judicial salary of every judge in the United Kingdom shall begin from the date of his appointment as judge, and not before, and shall accrue due from day to day during the time of his continuance in office, and shall be payable at such intervals not exceeding three months as may be from time to time determined by the Treasury.

3. *Application of Act.* This Act in so far as relates to the accruer and payment of salaries shall apply to existing as well as to future judges.

4. *Definition of "judge."* The expression "judge" shall include every judge of Her Majesty's Superior Courts of Common Law or Equity in England and Ireland, every judge of the Court of Session in Scotland, and every assistant judge, county court judge, stipendiary magistrate, or other person performing judicial duties in the United Kingdom in respect of which he is paid a salary.

CAP. LII.

An Act to regulate the summoning of Grand Juries in Middlesex. [6th August, 1872.]

Whereas inconvenience has been found to arise by reason of the unnecessary summoning of grand juries in the county of Middlesex:

Be it therefore enacted, &c., as follows:

1. *Grand jury in Middlesex need not be summoned unless notice has been given of business to be brought before them.* From and after the passing of this Act it shall not be necessary to summon a grand jury of Middlesex to come before the Queen at Westminster in any term unless the

master of the Crown Office has before the fourth day of that term received notice of some business intended to be brought before them, and it shall be the duty of the said master to give notice to the sheriff accordingly.

CAP. LIII.

An Act to confirm an Agreement for the purchase by the Metropolitan Board of Works of certain land adjoining Victoria Park, and for the appropriation of such land as part of the same Park.

[6th August, 1872.]

CAP. LIV.

An Act to amend the Public Schools Act, 1868.

[6th August, 1872.]

34 & 35 Vict. c. 60. 31 & 32 Vict. c. 118.

1. *Short title.* "The Public Schools Act, 1872."

2. *Extension of powers of new governing bodies of certain public schools.*

3. *Duration of powers of Commissioners.*

4. *Amendment of section 21 of the Public Schools Act, 1868.*

5. *Scheme for apportionment of property of Rugby School.*

CAP. LV.

An Act for making better provision for the erection of Lighthouses on the Great Basses Rock, and on the Little Basses Rock, in the colony of Ceylon.

[6th August, 1872.]

CAP. LVI.

An Act to settle an annuity on the Honourable Blanche Julia Countess of Mayo, in consideration of the eminent services of the late Earl of Mayo as Viceroy and Governor General of India. [6th August, 1872.]

CAP. LVII.

An Act for the Abolition of Imprisonment for Debt in Ireland, and for the Punishment of fraudulent Debtors, and for other purposes relating thereto.

[6th August, 1872]

CAP. LVIII.

An Act for the Amendment of the Law of Bankruptcy in Ireland. [6th August, 1872.]

CAP. LIX.

An Act to amend Paragraph Three of the Second Schedule of the Elementary Education Act, 1870.

[6th August, 1872.]

CAP. LX.

An Act for the better prevention of Corrupt Practices at Municipal Elections, and for establishing a Tribunal for the trial of the validity of such Elections. [6th August, 1872.]

Whereas it is expedient to make provision for the better prevention of corrupt practices at municipal elections, and for establishing a tribunal for the trial of the validity of such elections:

Be it enacted, &c., as follows:

Preliminary.

1. *Short title.* This Act may be cited for all purposes as the "Corrupt Practices (Municipal Elections) Act, 1872."

2. *Definitions.* In this Act, except where the context otherwise requires, the following words and expressions shall respectively be construed as follows, viz:

1. "Borough" means a place for the time being subject to the provisions of the Act of the fifth and sixth of William the Fourth, chapter seventy-six, intitled "An Act to provide for the regulation of municipal corporations in England and Wales," as amended by the Acts amending the said Act:

"Office" means the office of mayor, alderman, councillor, auditor, or assessor, of a borough or ward of a borough:

"Election" means an election to an office:

"Candidate" means a person elected, or who has been nominated or has declared himself a candidate for election to an office:

"Canvasser" means any person who solicits or persuades, or attempts to persuade, any person to vote or to abstain from voting at an election, or to vote or to abstain from voting for any candidate at an election:

"Register" includes a burgess roll or ward list:

"Voter" means a person included in a register or who voted or claimed to vote at an election:

"Returning officer" means a person under whatever designation presiding at an election:

"Election court" means an election court constituted and acting under the provisions of this Act for the trial of a petition respecting an election:

"Superior court" means the Court of Common Pleas at Westminster:

"Prescribed" means prescribed by general rules to be made under the provisions of this Act.

2. This Act shall so far as is consistent with the tenor thereof be construed as one with the Acts for the time being in force relating to boroughs and to elections in boroughs.

PART I.

Corrupt Practices at Municipal Elections.

3. *As to corrupt practices at municipal elections.* The offences of bribery, treating, undue influence, and personation, shall be deemed to be corrupt practices at an election for the purposes of this Act.

The terms "bribery," "treating," "undue influence," and "personation," shall respectively include anything committed or done before, at, after, or with respect to an election, which if done before, at, after, or with respect to an election of members to serve in Parliament would render the person committing or doing the same liable to any penalties, punishments, or disqualifications, for bribery, treating, undue influence, or personation, as the case may be under any Act for the time being in force with respect to elections of members to serve in Parliament.

Any person who is guilty of a corrupt practice at an election shall be liable to the like actions, prosecutions, penalties, forfeitures, and punishments, as if the corrupt practice had been committed at an election of members to serve in Parliament.

4. *Disqualifications of candidates personally guilty of corrupt practices.* Where it is found by the report of an election court acting under the provisions of this Act that any corrupt practice has been committed by or with the knowledge and consent of any candidate at an election, such candidate shall be deemed to have been personally guilty of corrupt practices at the election, and his election, if he has been elected, shall be void and he shall (whether he was elected or not) during seven years from the date of the report be subject to the following disqualifications; viz.,

1. He shall be incapable of holding or exercising any municipal office or franchise, and of having his name placed on the register, or voting at any municipal election:
2. He shall be incapable of acting as a justice of the peace and of holding any judicial office:
3. He shall be incapable of being elected to and of sitting or voting in Parliament:
4. He shall be incapable of being registered or voting as a parliamentary voter:
5. He shall be incapable of being employed by any candidate in any parliamentary or municipal election:
6. He shall be incapable of acting as overseer or as guardian of the poor.

If any person is upon an indictment or information found guilty of any corrupt practice at an election, or is in any action or proceeding adjudged to pay a penalty or forfeiture for any corrupt practice at an election, he shall, whether he was a candidate at the election or not, be subject during seven years from the date of the conviction or judgment to all the disqualifications mentioned in this section.

If at any time after any person has become disqualified by virtue of this Act, the witnesses, or any of them, on whose testimony such person has so become disqualified, are upon the prosecution of such person convicted of perjury in respect of such testimony, it shall be lawful for such person to move the superior court to order, and the superior court

shall, upon being satisfied that such disqualification was procured by reason of perjury, order that such disqualifications shall thenceforth cease and determine and the same shall cease and determine accordingly.

5. *Avoidance of election for corrupt practices by agents, and for offences against this Act.* If it is found by an election court acting under the provisions of this Act, that a candidate has by an agent been guilty of any corrupt practice at an election, or that any act hereinafter in this Act declared to be an offence against this Act has been committed at an election by a candidate or by an agent for a candidate with the candidate's knowledge and consent, the candidate shall, during the period for which he was elected to serve, or for which, if elected, he might have served, be disqualified for being elected to and for holding any municipal office in the borough for which the election was held, and if he was elected his election shall be void.

6. *Avoidance of election on the ground of general corruption, &c.* An election for a borough or a ward thereof shall be wholly avoided by such general corruption, bribery, treating, or intimidation at the election for such borough or ward as would by the common law of Parliament avoid an election of members to serve in Parliament for a parliamentary borough.

7. *Prohibition of paid canvassers.* No person who is included in a register for a borough or ward thereof as a burgess or citizen shall be retained or employed for payment or reward by or on behalf of a candidate at an election for such borough or any ward thereof as a canvasser for the purposes of the election.

If any person is retained or employed by or on behalf of a candidate at an election in contravention of this prohibition, such person and also the candidate or other person by whom he is retained or employed shall be deemed to be guilty of an offence against this Act, and shall be liable on summary conviction before two justices of the peace to a penalty not exceeding ten pounds.

An agent or canvasser who is retained or employed for payment or reward for any of the purposes of an election shall not vote at the election, and if he votes he shall be guilty of an offence against this Act, and shall be liable on summary conviction before two justices of the peace to a penalty not exceeding ten pounds.

8. *Prohibition of payment for conveyance of voters.* If a candidate or an agent for a candidate pays or agrees to pay any money on account of the conveyance of a voter to or from the poll, such candidate or agent shall be deemed to be guilty of an offence against this Act, and shall be liable on summary conviction before two justices of the peace to a penalty not exceeding five pounds.

9. *Prosecution for corrupt practices.* The costs and expences of a prosecutor and his witnesses in the prosecution of any person for either of the corrupt practices of bribery, undue influence, or personation at an election, together with compensation for trouble and loss of time, shall, unless the court before which such person is prosecuted otherwise directs, be allowed, paid, and borne in the same manner in which they may be allowed, paid, and borne in cases of felony.

The clerk of the peace of the county in which a borough is situate, or in the case of a borough which is a county of a city or a county of a town or in which there is a clerk of the peace, the clerk of the peace of such county of a city or county of a town or borough, shall, if he is directed by an election court acting under the provisions of this Act to prosecute any person for either of the corrupt practices of bribery, undue influence, or personation at the election in respect of which the court acts, or to sue or proceed against any person for penalties for bribery, treating, undue influence, or any offence against this Act at such election, prosecute, sue, or proceed against such person accordingly.

10. *Provisions for striking off votes.* The votes of persons in respect of whom any corrupt practice is proved to have been committed shall be struck off on a scrutiny.

Subject to the provisions of this section a register shall for all purposes be conclusive as to the right of the persons included therein to vote at an election for the purposes whereof such register is in force; but nothing in this section shall entitle any person to vote who is by any Act or law prohibited from voting at an election on the ground of any disqualification by office or disability, nor shall relieve

any such person from any penalty, liability, or punishment to which he may by law be subject by reason of his voting at an election.

11. *As to alleged personation.*] The provisions of the Acts for the time being in force for the detection of personation and for the apprehension of persons charged with personation at a parliamentary election shall apply in the case of a municipal election.

PART II.

Election Petitions.

12. *Municipal elections may be questioned by petition.*] The election of any person at an election for a borough or ward may be questioned by petition before an election court constituted as hereinafter in this Act provided, and hereinafter in this Act referred to as the "court," on the ground that the election was as to the borough or ward wholly avoided by general bribery, treating, undue influence, or personation, or on the ground that the election of such person was avoided by corrupt practices or offences against this Act committed at the election, or on the ground that he was at the time of the election disqualified for election to the office for which the election was held, or on the ground that he was not duly elected by a majority of lawful votes.

An election shall not, except in the manner provided by this Act, be questioned upon an information in the nature of a quo warranto or by or in any process or manner whatsoever for a matter for which it might be questioned under the provisions of this Act.

13. *Presentation of petition.*] The following provisions shall have effect with reference to the presentation of a petition complaining of an undue election (hereinafter in this Act referred to as a "petition"):

1. A petition may be presented either by four or more persons who voted or who had a right to vote at the election or by a person alleging himself to have been a candidate at the election;

A petition shall be in the prescribed form and shall be signed by the petitioner or petitioners, and shall be presented to the superior court in the prescribed manner, and the prescribed officer shall send a copy thereof to the town clerk of the borough to which it relates, who shall forthwith publish it in the borough;

The terms "petitioner" and "respondent," as hereinafter used in this Act, include respectively any one or more persons by whom a petition is presented, and any one or more persons against whose election a petition is presented:

2. A petition shall be presented within twenty-one days after the day on which the election was held, unless it complain of the election on the ground of corrupt practices, and specifically allege a payment of money or other reward to have been made or promised since the election by a person elected at the election, or on his account or with his privity, in pursuance or furtherance of such corrupt practices, in which case it may be presented at any time within twenty-eight days after the date of the alleged payment or promise, whether or not any other petition against such person has been previously presented or tried;
3. At the time of presenting a petition, or within three days afterwards, the petitioner shall give security for all costs, charges, and expenses which may become payable by him to any witness summoned on his behalf, or to any respondent. The security shall be to the amount of five hundred pounds, and shall be given in the prescribed manner either by a deposit of money or by recognizance entered into by not exceeding four sureties, or partly in one way and partly in the other;
4. Within five days after the presentation of a petition the petitioner shall in the prescribed manner serve on the respondent a notice of the presentation and of the nature of the proposed security, and a copy of the petition; and the respondent may within five days from the service of the notice object in writing to any security by way of recognizance on the ground that any surety is insufficient or is dead, or cannot be found or ascertained for want of a sufficient description in the recognizance, or that a person named in the recognizance has not duly acknowledged the same. An objection to a recognizance shall be decided in the prescribed manner:

5. If an objection to the security is allowed it shall be lawful for the petitioner, within a further prescribed time not exceeding five days, to remove such objection by a deposit in the prescribed manner of such sum of money as may be deemed by the court or officer having cognizance of the matter to make the security sufficient;

If on objection made the security is decided to be insufficient, and the objection is not removed in manner hereinbefore mentioned, no further proceedings shall be had on the petition; but otherwise on the expiration of the time limited for making objections, or, after objection made, of the sufficiency of the security being established, the petition shall be deemed to be at issue:

6. Where a petition complains of the conduct of a returning officer, he shall be deemed to be a respondent;
7. The prescribed officer shall so soon as may be make out a list of all petitions under this Act presented to the superior court which are at issue, placing them in the order in which they were presented, and shall keep at his office a copy of such list, hereinafter referred to as the "Municipal Elections List," open to the inspection in the prescribed manner of any person making application to inspect the same;
8. The petitions shall, so far as conveniently may be, be tried in the order in which they stand in such list;
9. Two or more candidates may be made respondents to the same petition, and their cases may be tried at the same time, but for all the purposes of this Act such petition shall be deemed to be a separate petition against each respondent;
10. Where more petitions than one are presented relating to the same election, or to elections held at the same time for different wards of the same borough all such petitions shall in the municipal election list be bracketed together as one petition, but such petitions shall stand in the list in the place where the last of such petitions would have stood if it had been the only petition relating to that election, unless the superior court otherwise directs.

14. *Constitution of election court.*] An election court for the trial of petitions under this Act shall be constituted as follows:

1. A petition shall be tried by a barrister qualified and appointed as hereinafter provided, without a jury;
2. So soon as may be after a municipal election list is made out a copy thereof shall by the prescribed officer be transmitted to each of the judges for the time being on the roll for the trial of election petitions under the provisions of the Parliamentary Elections Act, 1868, and the said judges or any two of them shall forthwith determine the number of barristers, not exceeding five at any one time, necessary to be appointed for the trial of the petitions at issue, and shall appoint such number of barristers accordingly, and shall assign the petitions to be tried by them respectively;
3. No barrister shall be appointed or act for the purposes of this Act who is of less than fifteen years standing, or who is a member of Parliament, or who holds any office or place of profit under the Crown, other than that of a recorder, and no barrister shall try a petition relating to any borough for which he is recorder, or in which he resides, or which is included in a circuit of Her Majesty's judges on which he practises as a barrister;
4. If a barrister to whom the trial of a petition is assigned, dies, or declines or becomes incapable to act, the said judges or any two of them may assign the trial to be conducted or continued by any other of the barristers appointed as aforesaid;
5. The court shall for the purposes of the trial of a petition have all the same powers and privileges which a judge may have on the trial of an election petition under the provisions of the Parliamentary Elections Act, 1868, with this modification, that any fine or order of committal by the court may upon motion by the person aggrieved be discharged or varied by the superior court, or in vacation by a judge thereof, upon such terms, if any, as such superior court or judge thinks fit.

15. *Trial of a petition.*] The following provisions shall have effect with respect to the trial of a petition:

1. A petition shall be tried in open court, and notice of the time and place at which the petition will be tried shall be given not less than seven days before the day on which the trial is held, in the prescribed manner :
2. A petition shall be tried within the borough to which it relates ; provided that, if it appear to the superior court that special circumstances exist which render it desirable that the petition should be tried elsewhere than in the borough, it shall be lawful for the superior court to appoint such other place for the trial as appears most convenient :
3. The court may adjourn the trial from time to time, and from any one place to any other place within the borough or place where it is held, as may seem expedient :
4. At the conclusion of the trial the court shall determine whether the person whose election is complained of, or any and what other person, was duly elected, or whether the election was void, and shall forthwith certify in writing the determination to the superior court, and upon the certificate being given the determination shall be final to all intents and purposes as to the matters at issue on the petition :
5. Where any charge is made in a petition of any corrupt practice or offence against this Act having been committed at the election to which the petition refers, the court shall, in addition to the certificate, and at the same time, report in writing to the superior court as follows :
 - (a.) Whether any corrupt practice or offence against this Act has or has not been proved to have been committed by or with the knowledge and consent of any candidate at the election, and the nature of such corrupt practice or offence against this Act ;
 - (b.) The names of all persons (if any) who have been proved at the trial to have been guilty of any corrupt practice or offence against this Act ;
 - (c.) Whether any corrupt practices have, or whether there is reason to believe that any corrupt practices have extensively prevailed at the election to which the petition relates, in the borough or in any ward thereof ;

The court may at the same time make a special report to the superior court as to any matters arising in the course of the trial, an account of which, in the judgment of the court, ought to be submitted to the superior court :
6. Where, upon the application of any party to a petition made in the prescribed manner to the superior court, it appears to that court that the case raised by the petition can be conveniently stated as a special case, that court may direct the same to be stated accordingly, and any such special case shall be heard before the superior court, and the decision of the superior court shall be final :
7. If it appear to the court on the trial of a petition that any question of law as to the admissibility of evidence, or otherwise, requires further consideration by the superior court, the court may postpone the granting of a certificate until such question has been determined by the superior court, and for this purpose may reserve any such question, in like manner in which questions may be reserved by a judge on a trial at nisi prius :
8. On the trial of a petition, unless the court otherwise directs, any charge of a corrupt practice or offence against this Act may be gone into, and evidence in relation thereto received before any proof has been given of agency on behalf of any candidate in respect of such corrupt practice or offence :
9. On the trial of a petition complaining of an undue election and claiming the office for some person, the respondent may give evidence to prove that such person was not duly elected, in the same manner as if he had presented a petition against the election of such person :
10. The trial of a petition shall be proceeded with notwithstanding that the respondent has ceased to hold the office his election to which is questioned by the petition :
11. A copy of any certificate or report made to the superior court upon the trial of a petition or a statement of

any decision made by the superior court shall by the superior court be transmitted to one of Her Majesty's Principal Secretaries of State :

12. A copy of any certificate made by the court to the superior court, or in the case of a decision by the superior court upon a special case a statement of such decision, shall be certified by the superior court, under the hands of the two or more judges of the superior court to the town clerk of the borough to which the petition relates.
16. *Provisions as to witnesses.*] The following provisions shall have effect with respect to witnesses at the trial of a petition :
 1. Witnesses shall be summoned and sworn in the same manner, as nearly as circumstances admit, as witnesses at a trial at nisi prius, and shall be liable to the same penalties for perjury ;
 2. On the trial of a petition the court may, by order in writing compel the attendance of any person as a witness who appears to the court to have been concerned in the election to which the petition refers, and any person refusing to obey such order shall be guilty of contempt of court. The election court may examine any witness so compelled to attend, or any person in court although such witness is not called and examined by any party to the petition. After the examination of a witness by the election court such witness may be cross-examined by or on behalf of the petitioner and respondent, or either of them :
 3. The provisions of the seventh section of the Act of the twenty-sixth and twenty-seventh of Her Majesty chapter twenty-nine, relating to the examination and indemnity of witnesses, shall apply to any witness appearing before the court on the trial of a petition under this Act, and the certificate shall be given by the court ; provided always, that the giving or refusal to give such certificate by the court shall be final and conclusive, and shall not be questioned by any proceeding or in any court whatsoever :
 4. The reasonable expenses incurred by any person in appearing to give evidence at the trial of a petition according to the scale allowed to witnesses on the trial of civil actions at the assizes, may be allowed to such person by a certificate of the court or of the prescribed officer, and such expenses, if the witness was called and examined by the court, shall be deemed part of the expenses of providing a court, and in other cases shall be deemed to be costs of the petition.
17. *Withdrawal and abatement of petitions.*] The following provisions shall have effect with respect to the withdrawal and abatement of petitions :
 1. A petition shall not be withdrawn without the leave of the court or superior court upon special application, to be made in and at the prescribed manner, time, and place ;

No such application shall be made for the withdrawal of a petition until the prescribed notice has been given in the borough to which the petition relates, of the intention of the petitioner to make an application for the withdrawal of his petition :

- 2. On the hearing of the application for withdrawal any person who might have been a petitioner in respect of the election to which the petition relates, may apply to the court or superior court to be substituted as a petitioner for the petitioner so desirous of withdrawing the petition :

The court or superior court may, if it think fit, substitute as a petitioner any such applicant as aforesaid ; and may further, if the proposed withdrawal is in the opinion of the court or superior court induced by any corrupt bargain or consideration, by order direct that the security given on behalf of the original petitioner shall remain as security for any costs that may be incurred by the substituted petitioner, and that to the extent of the sum named in such security the original petitioner and his sureties shall be liable to pay the costs of the substituted petitioner :

- 3. If no such order is made with respect to the security given on behalf of the original petitioner, security to the same amount as would be required in the

case of a new petition, and subject to the like conditions, shall be given on behalf of the substituted petitioner before he proceeds with his petition, and within the prescribed time after the order of substitution :

4. Subject as aforesaid a substituted petitioner shall stand in the same position as nearly as may be, and be subject to the same liabilities, as the original petitioner ;

If a petition is withdrawn, the petitioner shall be liable to pay the costs of the respondent ;

Where there are more petitioners than one, no application to withdraw a petition shall be made except with the consent of all the petitioners :

5. A petition shall be abated by the death of a sole petitioner or of the survivor of several petitioners ;

The abatement of petition shall not affect the liability of the petitioner or of any other person to the payment of costs previously incurred ;

On the abatement of a petition the prescribed notice of such abatement having taken place shall be given in the borough to which the petition relates, and within the prescribed time after the notice is given, any person who might have been a petitioner in respect of the election to which the petition relates, may apply to the court or superior court in and at the prescribed manner, time and place, to be substituted as a petitioner ;

The court or superior court may, if it think fit, substitute as a petitioner any such applicant who is desirous of being substituted and on whose behalf security to the same amount is given as is required in the case of a new petition.

18. *Withdrawal and substitution of respondents.* The following provisions shall have effect with respect to the withdrawal and substitution of respondents upon a petition :

1. If before the trial of a petition either of the following events happens in the case of a respondent other than a returning officer ; viz.,

(a.) If he dies, resigns, or otherwise ceases to hold the office to which the petition relates ; or

(b.) If he gives the prescribed notice that he does not intend to oppose the petition ;

Notice of such event having taken place shall be given in the borough to which the petition relates, and within the prescribed time after the notice is given any person who might have been a petitioner in respect to the election to which the petition relates, may apply to the court or superior court to be admitted as a respondent to oppose the petition, and such person shall be admitted accordingly, and any number of persons not exceeding three may be so admitted :

2. A respondent who has given the prescribed notice that he does not intend to oppose the petition, shall not be allowed to appear or act as a party against such petition in any proceedings thereon.

19. *Costs on petitions.* The following provisions shall have effect with respect to costs on the trial of a petition :

1. All costs, charges, and expenses of, and incidental to the presentation of a petition, and to the proceedings consequent thereon, with the exception of such costs, charges, and expenses as are by this Act otherwise provided for, shall be defrayed by the parties to the petition in such manner and in such proportions, as the court by which the petition is tried may determine ; and in particular any costs, charges, or expenses which in the opinion of the court by which the petition is tried have been caused by vexatious conduct, unfounded allegations, or unfounded objections on the part either of the petitioner or the respondent, and any needless expense incurred or caused on the part of petitioner or respondent, may be ordered to be defrayed by the parties by whom it has been incurred or caused, whether such parties are or not on the whole successful :

2. The costs may be taxed in the prescribed manner, but according to the same principles as costs between attorney and client in a suit in the High Court of

Chancery, and such costs may be recovered in the same manner as the costs of an action at law, or in such other manner as may be prescribed :

3. If any petitioner neglect or refuse for the space of three months after demand to pay to any person summoned as a witness on his behalf, or to the respondent, any sum certified to be due to him for his costs, charges, and expenses, and if such neglect or refusal be, within one year after such demand, proved to the satisfaction of the superior court, every person who has entered into a recognizance relating to such petition under the provisions of this Act, shall be held to have made default in his said recognizance, and the prescribed officer shall thereupon certify such recognizance to be forfeited, and the same shall be dealt with in the same manner as a forfeited recognizance under the provisions of the Parliamentary Elections Act, 1868.

20. *Reception of and attendance on the court.* The following provisions shall have effect with reference to the reception of the court upon the trial of a petition :

1. The town clerk of a borough in respect of which a petition is to be tried shall provide proper accommodation for holding the election court ; and any expenses incurred by him for the purposes of this section, shall be paid by the treasurer of the borough out of the borough fund or rate :

2. All superintendents of police, chief constables, head-boroughs, gaolers, constables, and bailiffs, shall give their assistance to the court in the execution of the duties of the said court, and if any gaoler or officer of a prison makes default in receiving or detaining a prisoner committed thereto in pursuance of the provisions of this Act, he shall incur a penalty not exceeding five pounds for every day during which such default continues :

3. The court may employ such officers and clerks as may be allowed by general rules to be made under the provisions of this Act :

4. A shorthand writer shall attend at the trial of a petition, and shall be sworn by the court faithfully and truly to take down the evidence given at the trial, and shall take down the evidence at length, and a copy of the evidence so taken shall accompany the certificate of the said court, and the expenses of the shorthand writer, according to a scale to be prescribed, shall be deemed to be part of the expenses incurred in receiving the court.

21. *Jurisdiction and general rules.* The following provisions shall have effect with respect to jurisdiction, and to general rules :

1. The judges for the time being on the rota for the trial of election petitions under the provisions of the Parliamentary Elections Act, 1868, may from time to time make, revoke, and alter general rules for the effectual execution of this Act, and of the intention and object thereof, and the regulation of the practice, procedure, and costs of petitions, and the trial thereof, and the certifying and reporting thereon ;

Any general rules made as aforesaid shall, in so far as they are not inconsistent with any of the provisions of this Act, be deemed to be within the powers conferred by this Act, and shall be of the same force as if they were enacted in the body of this Act ;

Any general rules made in pursuance of this section shall be laid before Parliament within three weeks after they are made, if Parliament be then sitting, and if Parliament be not then sitting, within three weeks after the beginning of the then next session of Parliament :

2. Until general rules have been made in pursuance of this Act, and so far as such rules (when made), and the provisions of this Act do not extend, the principles, practice, and rules which are for the time being observed in the case of election petitions under the provisions of the Parliamentary Elections Act, 1868, shall be observed so far as may be by the court and superior court in the case of petitions under this Act :

3. The duties to be performed by the prescribed officer under this Act shall be performed by the prescribed officer of the superior court :
4. The rules and principles with regard to agency and evidence, and with regard to a scrutiny, and with regard to the declaring any person to be elected in the room of any other person who is declared to have been not duly elected, which are applicable in the case of parliamentary election petitions, shall be applied, so far as they are applicable, in the case of a petition under this Act :
5. The superior court shall, subject to the provisions of this Act, have the same powers, jurisdiction, and authority with reference to an election petition and the proceedings thereon, as it would have if the petition were an ordinary cause within its jurisdiction.

Miscellaneous Provisions.

22. *Expenses of the court.*] The remuneration and allowances to be paid to a barrister for his services in respect of the trial of a petition, and to any officers, clerks, or shorthand writers employed under the provisions of this Act, shall be fixed by a scale which shall be made and may be varied from time to time by the election judges on the rota for the trial of election petitions under the provisions of the Parliamentary Elections Act, 1868, with the approval of the Commissioners of Her Majesty's Treasury, or any two or more of them, and the amount of any such remuneration and allowances shall be paid by the said Commissioners, and shall be repaid to the said Commissioners on their certificate, by the treasurer of the borough to which the petition relates, out of the borough fund or rate :

Provided that the court at its discretion may order that the whole or any part of such remuneration and allowances, or the whole or any part of the expenses incurred by a town clerk for receiving the court under the provisions of this Act, shall be repaid to the said commissioners or to the town clerk, as the case may be, in the cases, by the persons, in the manner following ; viz.,

- (a.) When in the opinion of the court a petition is frivolous and vexatious, then by the petitioner ;
- (b.) When in the opinion of the court a respondent has been personally guilty of corrupt practices at the election, then by such respondent :

And any order so made for the repayment of any sum by a petitioner or respondent may be enforced in the same way as an order for payment of costs ; but any other costs or expenses payable by such petitioner or respondent to any party to the petition shall be satisfied out of any deposit or security made or given under the provisions of this Act before such deposit or security is applied for the repayment of any sum under an order made in pursuance of this section.

23. *Acts done pending a petition not to be invalidated.*] Where a candidate who has been elected to an office at an election is by a certificate of the court, or by a decision of the superior court, declared not to have been duly elected, acts done by him in execution of such office before the time when the certificate or decision is certified to the town clerk, shall not be invalidated by reason of his being so declared not to have been duly elected.

24. *Provisions as to elections in the room of persons unseated on petition.*] Where upon a petition the election of any person to an office has been declared void, and no other person has been declared elected in his room, a new election shall forthwith be held to supply the vacancy in the same manner as in the case of an extraordinary vacancy in the office ; and for the purposes of any such new election any duties to be performed by a mayor, alderman, or any officer shall, if such mayor, alderman, or officer has been declared not elected, be performed by a deputy, or other person who might have acted for him if he had been incapacitated by illness.

25. *Computation of time.*] In reckoning time for the purposes of this Act, Sunday, Christmas Day, Good Friday, and any day set apart for a public fast or public thanksgiving shall be excluded.

26. *Prohibition of disclosure of vote.*] No person who has voted at an election by ballot shall in any proceeding to question the election be required to state for whom he has voted.

27. *Act not to apply to Scotland.*] This Act shall not apply to Scotland.

28. *Application of Act as herein named to Ireland.*] This Act shall apply to Ireland ; provided as follows :

1. "The superior court" means the Court of Common Pleas at Dublin :
2. "Borough" means a place for the time being subject to the provisions of the Act of the third and fourth of her Majesty, chapter one hundred and eight, intituled "An Act for the regulation of municipal Corporations in Ireland," the Act of the ninth of George the Fourth, chapter eighty-two, the Towns Improvement (Ireland) Act, 1854, or of any local and personal Act providing for the election of commissioners in any towns or places for purposes similar to the purposes of the said Acts :
3. "Office" means either of the offices of mayor, alderman, councillor, commissioner, municipal commissioner, town commissioner, township commissioner, or assessor of any borough :
4. "Town clerk" includes a clerk to commissioners :
5. "Borough rate or fund" includes any rate, fund or assessment out of which the expenses of any election to an office in a borough may be defrayed :
6. "County court" means a civil bill court :
7. "Register" has the same meaning as the term "Register of Voters" in Part II. of the First Schedule to the Ballot Act, 1872, as applied to Ireland :
8. "One of Her Majesty's Principal Secretaries of State" shall be construed to mean the Chief Secretary to the Lord Lieutenant of Ireland for the time being :
9. Petitions questioning the election of any person to any office at an election for a borough or ward on the grounds set forth in section 12 of this Act may be presented to the court as defined by the Local Government (Ireland) Act, 1871, and the same shall be presented and tried in the manner and subject to the provisions of the said Act relating to controverted elections as the same are modified by this Act ; and the terms "election court" or "court" and "prescribed" in this Act shall be construed to have the same meanings respectively as the terms "court" and "prescribed" in the said Act :
10. Where under the provisions of this Act any general rules may be made, the same shall be made by the court in the manner and subject to the provisions of section 21 of the Local Government (Ireland) Act, 1871 :
11. Sections 13 and 14, sub-sections (1), (2), and (3) of section 15, and sub-sections (1) and (2) of section 20, shall not extend or apply to Ireland.

29. *Repeal of Acts as in Schedule.*] The Acts mentioned in the Schedule to this Act are repealed to the extent therein mentioned ; but such repeal shall not affect the validity or invalidity of anything already done or suffered, or any offence already committed, or any remedy or proceeding in respect thereof, or the proof of any past Act or thing.

SCHEDULE.

ACTS REPEALED.

5 & 6 Will. 4, c. 76. ss. 55 to 56, booth inclusive.
22 Vict. c. 35. ss. 9 to 14, both inclusive.
3 & 4 Vict. c. 108, ss. 90, 91.

CAP. LXI.

An Act to regulate the use of Steam Whistles in certain Manufactories. [6th August, 1872.]

Be it enacted, &c., as follows :

1. *Not to apply to Scotland.*] This Act shall not apply to Scotland.
2. *Use of steam whistles and trumpets.*] No person shall use or employ in any manufactory, or any other place, any steam whistle or steam trumpet for the purpose of summoning or dismissing workmen or persons employed without the sanction of the sanitary authority, and every person offending against this section shall be liable to a penalty not exceeding five pounds, and to a further

penalty not exceeding forty shillings for every day during which such offence continues: Provided always, that the sanitary authority, in case they have sanctioned the use of any such instrument as aforesaid, may at any time revoke such sanction on giving one month's notice to the person using the same: Provided also, that it shall be lawful for the Local Government Board, on representation made to them by any person that he is prejudicially affected by such sanction, to revoke the same, and such revocation shall have the same force and effect as if it had been made by the sanitary authority.

3. *Definition.* "Sanitary authority" means the authority at the time being empowered to execute the Nuisance Removal Acts, as defined and extended by the Sanitary Act, 1866.

4. *Legal procedure.* All offences and penalties under this Act may be prosecuted and recovered in England in manner directed by the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, and any Acts amending the same, and in Ireland, in the police district of Dublin metropolis, in manner directed by the Acts regulating the powers and duties of justices of the peace for such district, or of the police of that district, and elsewhere in manner directed by the Petty Sessions (Ireland) Act, 1851, and any Act amending the same.

CAP. LXII.

An Act to amend and extend the provisions of the Law of Scotland on the subject of Education.

[6th August 1872.]

CAP. LXIII.

An Act for further promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary.

[10th August, 1872.]

CAP. LXIV.

An Act for making provision for facilitating the Manœuvres of Troops to be assembled during the ensuing Autumn.

[10th August, 1872.]

CAP. LXV.

An Act to amend the Bastardy Laws.

[10th August, 1872.]

Whereas an Act passed in the seventh and eighth years of the reign of Her Majesty, chapter one hundred and one, intituled "An Act for the further amendment of the laws relating to the poor in England:"

And whereas it is expedient to amend the said recited Act with respect to proceedings in bastardy:

Be it enacted, &c., as follows:—

1. *Short title.* This Act may be cited as "The Bastardy Laws Amendment Act, 1872."

2. *Repeal of enactments as in schedule.* The enactments specified in the first schedule to this Act are hereby repealed, except as to anything heretofore duly done thereunder, and except so far as may be necessary for the purpose of supporting and continuing any proceeding taken before the passing of this Act.

3. *Putative father to be summoned to petty sessions on application of mother of bastard child.* Any single woman who may be with child or who may be delivered of a bastard child after the passing of this Act may either before the birth or at any time within twelve months from the birth of such child, or at any time thereafter, upon proof that the man alleged to be the father of such child has within the twelve months next after the birth of such child paid money for its maintenance, or at any time within the twelve months next after the return to England of the man alleged to be the father of such child, upon proof that he ceased to reside in England within the twelve months next after the birth of such child, make application to any one justice of the peace acting for the petty sessional division of the county, or for the city, borough, or place in which she may reside, for a summons to be served on the man alleged

by her to be the father of the child, and if such application be made before the birth of the child the woman shall make a deposition upon oath stating who is the father of such child, and such justice of the peace shall thereupon issue his summons to the person alleged to be the father of such child to appear at a petty session to be holden after the expiration of six days at least for the petty sessional division, city, borough, or other place in which such justice usually acts.

4. *Justices in petty session may make an order on the putative father for maintenance, education, &c., of bastard child, and enforce the same by distress and commitment.* After the birth of such bastard child, on the appearance of the person so summoned, or on proof that the summons was duly served on such person, or left at his last place of abode, six days at least before the petty session, the justices in such petty session shall hear the evidence of such woman and such other evidence as she may produce, and shall also hear any evidence tendered by or on behalf of the person alleged to be the father, and if the evidence of the mother be corroborated in some material particular by other evidence to the satisfaction of the said justices, they may adjudge the man to be the putative father of such bastard child; and they may also, if they see fit, having regard to all the circumstances of the case, proceed to make an order on the putative father for the payment to the mother of the bastard child, or to any person who may be appointed to have the custody of such child, under the provisions of the said recited Act, of a sum of money weekly, not exceeding five shillings a week, for the maintenance and education of the child, and of the expenses incidental to the birth of such child, and of the funeral expenses of the child, provided it has died before the making of such order, and of such costs as may have been incurred in the obtaining of such order; and if the application be made before the birth of the child, or within two calendar months after the birth of the child, such weekly sum may, if the said justices think fit, be calculated from the birth of the child; and if at any time after the expiration of one calendar month from the making of such order as aforesaid it be made to appear to any one justice, upon oath or affirmation, that any sum to be paid in pursuance of such order has not been paid, such justice may, by warrant under his hand and seal, cause such putative father to be brought before any two justices, and in case such putative father neglect or refuse to make payment of the sums due from him under such order, or since any commitment for disobedience to such order as hereinafter provided, together with the costs attending such warrant, apprehension, and bringing up of such putative father, such two justices may, by warrant under their hands and seals, direct the sum so appearing to be due, together with such costs, to be recovered by distress and sale of the goods and chattels of such putative father, and may order such putative father to be detained and kept in safe custody until return can be conveniently made to such warrant of distress, unless he give sufficient security, by way of recognizance or otherwise, to the satisfaction of such justices, for his appearance before two justices on the day which may be appointed for the return of such warrant of distress, such day not being more than seven days from the time of taking any such security; but if upon the return of such warrant, or if by the admission of such putative father, it appear that no sufficient distress can be had, then any such two justices may, if they see fit, by warrant under their hands and seals, cause such putative father to be committed to the common jail or house of correction of the county, city, borough, or place where they have jurisdiction, there to remain, without bail or mainprize, for any term not exceeding three calendar months unless such sum and costs, and all reasonable charges attending the said distress, together with the costs and charges attending the commitment and conveying to jail or to the house of correction, and of the persons employed to convey him thither, be sooner paid and satisfied.

5. *Time of cessation of order.* No order for the maintenance and education, or for contribution towards the relief of any such child made in pursuance of this Act shall, except for the purpose of recovering money previously due under such order, be of any force or validity after the child in respect of whom it was made has attained the

age of thirteen years, or after the death of such child; provided that the justices may in the order direct that the payments to be made under it in respect of the child shall continue until the child attains the age of sixteen years, in which case such order shall be in force until that period.

6. *Proof of service of summons in certain cases.*] In cases where the putative father of any bastard child resides out of the petty sessional district where the mother applies for a summons or order of maintenance, it shall be lawful to prove by affidavit in the form referred to in the second schedule to this Act, or to the like effect, that such summons or order has been duly served.

7. *Payments for bastard children.*] When and so often as any bastard child for whose maintenance an order has been made by justices on the application of the mother shall become chargeable to any parish or union, any two justices having jurisdiction in the parish or union in petty sessions may, if they shall see fit, by order under their hands and seals, from time to time appoint some relieving or other officer of the parish or union to which such bastard child shall be so chargeable to receive on account of such parish or union such proportion of the payments then due or becoming due under the said order as may accrue during the period for which such child is chargeable, and such appointment shall remain in force for the period of one whole year whenever the bastard child shall be or have become chargeable, as aforesaid, and may afterwards from time to time be renewed by endorsement under the hand of any one justice for the like period; and any payment so ordered to be made shall be recoverable by the relieving officer or other officer appointed to receive it in the manner provided for the recovery of payments under an order obtained by the mother.

8. *Guardians may recover cost of relief of bastard child in certain cases.*] When a bastard child becomes chargeable to a union or parish, the guardians may apply to two justices having jurisdiction in the union or parish, in petty sessions, and thereupon such justices may summon the man alleged to be the father of the child to appear before any two justices having the like jurisdiction, to show cause why an order should not be made upon him to contribute towards the relief of the child, and upon his appearance, or in the event of his not appearing, upon proof of due service of the summons upon him, such justices may, if satisfied that

he is the father of the child, upon such evidence as is by this Act required in the case of a summons issued upon the application of the mother, make an order upon such putative father to pay to the guardians or one of their officers such sum, weekly or otherwise, towards the relief of the child during such time as the child shall continue or afterwards be chargeable, as shall appear to them to be proper; and such order shall, if the payments required by it to be made be in arrear, be enforced in the manner prescribed by the Act of the eleventh and twelfth Victoria, chapter forty-three, for the enforcing of orders of justices requiring the payment of a sum of money: Provided as follows:

1. That no payments shall be recoverable under such order, except in respect of the time during which the child is actually in receipt of relief:
2. That an order under this section shall not be made, and if made, shall cease, except for the recovery of arrears, when the mother of the child has obtained an order under this Act:
3. That nothing in this section shall be deemed to relieve the mother of a bastard child from her liability to maintain such child:
4. That any person upon whom an order is made under this section shall have the same right of appeal against such order as in the case of an order obtained on the application of the mother:
5. That if after an order has been made under this section the mother should apply for an order under this Act, the order made under this section shall be prima facie evidence that the man upon whom the order is made is the father of the child.

9. *Appeals.*] The court of quarter sessions, on appeal to them against any order made pursuant to the provisions of this Act, may, if they think fit, reduce the amount directed to be paid for the maintenance and education or on account of the relief of the child named in such order, and they shall thereupon alter the order accordingly.

10. *Act incorporated with recited Act.*] This Act shall be deemed to be incorporated with the said recited Act, and shall be construed as if the said recited Act (except such parts thereof as have been repealed or amended by this Act) and this Act were one Act.

11. *Extent of Act.*] This Act shall not extend to Scotland or Ireland.

SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

Date and Chapter of Act.	Title of Act.	Extent of Repeal.
7 & 8 Vict. c. 101.	An Act for the further amendment of the laws relating to the poor in England.	Sections 2 and 3; section 5 from "Provided always," to end of section; and section 7, to "Provided always."
31 & 32 Vict. c. 122.	An Act to make further amendments in the laws for the relief of the poor in England and Wales.	Section 41.

SECOND SCHEDULE.

Affidavit of Service.

I, A. B., one of the officers of the constabulary of the county of — make oath and say, that I did, on the — day of — 18—, duly serve the defendant with a summons [or order], a true copy whereof is herewith annexed, marked A, by delivering the same personally to the defendant [or by leaving the same with — at the place of abode of the defendant].

[I endorse the copy summons (or order) thus —. This paper, marked A, is the paper referred to in the annexed affidavit.]

Sworn at —, in the county of —, this — day of — 18—, before me,

J. B.

Justice of the peace for the said county.

[CAP. LXVI.]

An Act to amend the Royal Military Canal Act, 1867.
[10th August, 1872.]

CAP. LXVII.

An Act for making further provision respecting the application of the Revenues of Greenwich Hospital.
[10th August, 1872.]

CAP. LXVIII.

An Act to make provision for defraying the Expenses of building Barracks and otherwise providing for the Localisation of the Military Forces.
[10th August, 1872.]

CAP. LXIX.

An Act for constituting a Local Government Board in Ireland, and vesting therein certain functions of the Lord Lieutenant, the Privy Council, and the Chief Secretary to the Lord Lieutenant, concerning the Public Health and Local Government, together with the powers and duties of the Commissioners for administering the Laws for the Relief of the Poor in Ireland.
[10th August, 1872.]

CAP. LXX.

An Act to make better provision respecting certain Fees payable to the Law Officers of the Crown for England. [10th August, 1872.]

Be it enacted, &c., as follows :

1. *Certain fees payable to law officer to be paid as Treasury may direct and carried to the Consolidated Fund.* All fees payable to or to the credit of any law officer or his clerk in pursuance of the Patent Law Amendment Act, 1852, and the Acts amending the same, or on account of any letters patent for new inventions, or any gift, grant, or writing under the Great Seal, or any warrant for the same, or on account of any business in respect of which a salary is for the time being paid to such law officer out of moneys provided by Parliament, shall be paid to such person and in such manner as the commissioners of her Majesty's Treasury may from time to time direct, and shall be carried to the Consolidated Fund.

2. *Meaning of "law officer."* The term "law officer" in this Act means her Majesty's Attorney-General and Solicitor-General for England; but this Act shall not apply to the person who is Attorney-General at the time of the passing of this Act.

3. *Short title.* This Act may be cited as the "Law Officers Fees Act, 1872."

CAP. LXXI.

An Act to authorise advances to the Public Works Loan Commissioners for enabling them to make Loans to School Boards in pursuance of the Elementary Education Act, 1870. [10th August, 1872.]

33 & 34 Vict. c. 75, s. 57.] Whereas by the 57th section of the Elementary Education Act, 1870, it is provided that where a school board incur any expenses in providing or enlarging a school house they may, with the consent of the Education Department, spread the payment over several years, not exceeding fifty, and may for that purpose borrow money on the security of the school fund and local rate, and may charge that fund and the local rate with the payment of the principal and interest due in respect of the loan;

And it is by the same section further provided that the Public Works Loan Commissioners may, on the recommendation of the Education Department, lend any money required under the said 57th section on the security of the school fund and local rate without requiring any further or other security, such loan to be repaid within a period not exceeding fifty years, and to bear interest at the rate of three and a half per centum per annum:

And whereas it is expedient to make advances of money out of the Consolidated Fund, for the purposes of loans to school boards under the said section of the Elementary Education Act, 1870 (which loans are in this Act referred to as school loans):

Be it enacted, &c., as follows (that is to say):

1. *Short title.* This Act may be cited for all purposes as the "Public Works Loan Commissioners Act, 1872."

2. *Power to issue £1,000,000 out of the Consolidated Fund for school loans.* For the purposes of school loans the Commissioners of Her Majesty's Treasury may from time to time cause to be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof, any sums of money not exceeding in the whole one million pounds sterling.

3. *Moneys so issued to be applied exclusively to school loans.* All moneys issued out of the Consolidated Fund, in pursuance of this Act, shall be placed to the account at the Bank of England of the Commissioners for the Reduction of the National Debt, and shall be at the disposal of the Public Works Loan Commissioners, to be applied by them exclusively to the purposes of school loans, and all enactments contained in any Act of Parliament for the time being in force for the regulation of the Public Works Loan Commissioners, or the moneys at their disposal or their securities, and the proceedings thereon shall so far as such enactments are consistent with the provisions of this

Act, apply to the moneys issued out of the Consolidated Fund in pursuance of this Act.

4. *Power to raise money for issues or to replace issues out of the Consolidated Fund.* For the purpose of raising money to meet any sum to be issued out of the Consolidated Fund in pursuance of this Act, or to replace any sum which has been so issued, or any portion thereof, the Commissioners of Her Majesty's Treasury may, from time to time, as they think fit, raise any sum or sums not exceeding in the whole one million pounds, by the creation of annuities for any term not exceeding thirty years, or by the issue of Exchequer bonds or bills, or by all such means, and the sums so raised shall be placed to the credit of the account of Her Majesty's Exchequer, and form part of the Consolidated Fund.

Provided that the amount raised in pursuance of this section in any one year, ending on the thirty-first day of March, shall not exceed the total amount of the sums issued out of the Consolidated Fund in pursuance of this Act during that year.

5. *Commissioners for Reduction of National Debt may advance money on securities created under this Act.* The Commissioners for the Reduction of the National Debt may from time to time invest any moneys in their hands available for investment in Government securities in the purchase of any of the securities created under the authority of this Act.

If such investment be made in terminable annuities, the amount of annuity to be created in respect thereof shall be certified to the Commissioners of Her Majesty's Treasury under the hands of the Comptroller General or Assistant Comptroller, and of the Actuary of the National Debt Office, acting under the Commissioners for the Reduction of the National Debt.

The annuities so created shall be inscribed in the books of the Governor and Company of the Bank of England, and be payable to the Commissioners for the Reduction of the National Debt out of the Consolidated Fund, or the growing produce thereof, at such times in each year as may from time to time be fixed by the Commissioners of Her Majesty's Treasury.

The warrants of the Commissioners of Her Majesty's Treasury issued under the authority of this Act shall be a sufficient authority to the Governor and Company of the Bank of England, for doing the things thereby directed to be done for the purposes of this Act, and copies of such warrants shall be laid before both Houses of Parliament, if Parliament is then sitting, within one month of the respective dates thereof, and, if not sitting, within ten days after the next meeting of Parliament.

CAP. LXXII.

An Act to confirm a certain Provisional Order made under an Act of the fifteenth year of Her present Majesty, to facilitate arrangements for the Relief of Turnpike Trusts. [10th August, 1872.]

CAP. LXXIII.

An Act to amend the Merchant Shipping Acts and the Passenger Acts. [10th August, 1872.]

CAP. LXXIV.

An Act to amend the Law for the prevention of Adulteration of Food and Drink and of Drugs. [10th August, 1872.]

Whereas the practice of adulterating articles of food and drink and drugs for sale, in fraud of Her Majesty's subjects, and to the great hurt of their health and danger to their lives, requires to be repressed by more effectual laws than those which are now in force for that purpose:

Be it therefore enacted, &c., as follows:

1. *Penalty on persons adulterating articles of food or drink or drugs—1st offence £50, 2nd offence six months' hard labour.*

2. *Penalty on persons selling articles of food or drink or drugs which they know to have been adulterated, £20, and for 2nd offence advertisements in newspaper or otherwise.*

3. Vendor to declare mixture at time of sale.
4. Pharmacy Act, 1868, and 23 & 24 Vict. c. 84, incorporated with this Act—Proviso, 33 & 34 Vict. c. 26.
5. Appointment of analysts.
6. Inspectors of nuisances, &c., may submit articles to be analyzed.
7. Analysts to make reports quarterly to local authorities.
8. Proof of identity of articles submitted to analysts.
9. Purchaser of articles of food, &c., may require same to be analyzed.
10. Articles of food, &c., ordered for analysis to be received and samples retained by inspectors.
11. Expenses of executing Act to be borne in London by consolidated sewers rates, in rest of metropolis by any rates applicable for local managements, and in counties by the county rate.
12. Proceedings by indictment, &c., not to be affected by this Act.

CAP. LXXV.

An Act to provide for the appointment of Commissioners in the Channel Islands, and also in the City of Dublin and its vicinity, to take Affidavits to be used in the Superior Courts of Common Law and other Courts in Ireland. [10th August, 1872.]

CAP. LXXVI.

An Act to consolidate and amend the Acts relating to the Regulation of Coal Mines and certain other Mines. [10th August, 1872.]

CAP. LXXVII.

An Act to consolidate and amend the Law relating to Metalliferous Mines. [10th August, 1872.]

CAP. LXXVIII.

An Act for the Protection of certain Wild Birds during the Breeding Season. [10th August, 1872.]

CAP. LXXIX.

An Act to amend the Law relating to Public Health. [10th August, 1872.]

Be it enacted, &c., as follows:

Preliminary.

1. *Short title.*] This Act may be cited for all purposes as the Public Health Act, 1872.

2. *Application of Act.*] This Act shall not apply to Scotland or Ireland, nor, except in so far as is by this Act expressly provided, to the Metropolis.

Sanitary Authorities.

3. *Urban and rural sanitary districts.*] From and after the passing of this Act England shall be divided into sanitary districts to be called respectively—

1. Urban sanitary districts; and
2. Rural sanitary districts;

and such urban and rural sanitary districts shall respectively be subject to the jurisdiction of local authorities, in this Act called urban sanitary authorities and rural sanitary authorities, invested with the powers in this Act mentioned.

4. *Description of urban sanitary districts and urban sanitary authorities.*] Urban sanitary districts shall consist of the places in that behalf mentioned in the first column of the table in this section contained, and urban sanitary authorities shall be the several bodies of persons specified in the second column of the said table in relation to the said places respectively.

TABLE above referred to.

Urban Sanitary District.	Urban Sanitary Authority.
Borough constituted such either before or after the passing of this Act.	The Mayor, Aldermen, and Burgesses acting by the Council.
Improvement Act district constituted such before the passing of this Act, and having no part of its area situated within a borough or Local Government district.	The Improvement Commissioners.
Local Government district constituted such either before or after the passing of this Act, having no part of its area situated within a borough, and not coincident in area with a borough or Improvement Act district.	The Local Board.

Provided that—

1. Any borough, the whole of which is included in and forms part of a Local Government district or Improvement Act district, and any Improvement Act district which is included in and forms part of a Local Government district, and any Local Government district which is included in and forms part of an Improvement Act district, shall for sanitary purposes be deemed to be absorbed in the larger district in which it is included, or of which it forms part; and the Improvement commissioners or local board as the case may be, of such larger district, shall be the sanitary authority therein; and
2. Where a Borough or an Improvement Act district is coincident in area with a Local Government district, such Borough or improvement Act district shall be an urban sanitary district, and the council or improvement commissioners, having jurisdiction over such borough or district, and not a local board, shall be the sanitary authority;
3. Where any part of an Improvement Act district is situated within a borough or Local Government district, or where any part of a Local Government district is situated within a borough, the remaining part of such Improvement Act district or Local Government district shall continue subject to the like jurisdiction for sanitary purposes as it would have been subject to if this Act had not passed, unless and until the Local Government Board by provisional order otherwise directs.

For the purposes of this Act, the boroughs of Oxford, Cambridge, Blandford, Calne, Wenlock, Folkestone, and Newport, Isle of Wight, shall not be deemed to be boroughs, and the borough of Cambridge shall be deemed to be an Improvement Act district, and the borough of Oxford to be included in the Local Government district of Oxford. The Cambridge Commissioners described in section thirty-one of the Public Health Act, 1848, shall not exercise any fresh powers of rating or borrowing conferred upon them by this Act until the expiration of one year after the passing thereof, unless with the assent of the University first specified in writing under the hand of the Vice-Chancellor, and with the assent of the Town Council of Cambridge; and so much of the borough of Folkestone as is not included within the Local Government district of Sandgate shall be an urban sanitary district, and shall be under the jurisdiction, for sanitary purposes, of the authority for executing "The Folkestone Improvement Act, 1855."

5. *Description of rural sanitary districts and rural sanitary authorities.*] A rural union in this section means any union which is not coincident in area with an urban sanitary district, nor wholly included in an urban sanitary district.

The area of a rural union, with the exception of those portions (if any) of the area which are included in urban sanitary districts, shall form a rural sanitary district, and the guardians of the union shall form the rural sanitary authority of such district, with the following exceptions; that is to say,

1. No elective guardian of any parish belonging to such

union, and forming or being wholly included within an urban sanitary district, shall act or vote in any case in which guardians of such union act or vote in their capacity of members of the rural sanitary authority.

2. Where part of a parish belonging to a rural union forms or is situated in an urban sanitary district, the Local Government Board may, by order, divide such parish into separate wards, and determine the number of guardians to be elected by such wards respectively in such manner as to provide for the due representation of the part of the parish lying within the rural sanitary district; but until such order has been made the guardian or guardians of such parish may act and vote as members of the rural sanitary authority in the same manner as if no part of such parish formed part of or was situated in an urban sanitary district:

3. An ex-officio guardian resident in any parish or part of a parish belonging to such union, which parish or part of a parish forms or is situated in an urban sanitary district, shall not act or vote in any case in which guardians of such union act or vote in their capacity of members of the rural sanitary authority, unless he is the owner or occupier of property situated in the rural sanitary district of a value sufficient to qualify him as an elective guardian for the union.

6. *First meeting of sanitary authority.*] The first meeting of a sanitary authority under this Act shall be held within twenty-eight days after the passing of this Act, or at such other time as may be directed by order of the Local Government Board.

7. *Powers and duties of urban sanitary authority.*] Subject to the provisions of this Act, the Local Government Acts shall be deemed to be in force within the district of every urban sanitary authority, and from and after the first meeting of an urban sanitary authority in pursuance of this Act there shall be transferred and attached to an urban sanitary authority, to the exclusion of any other authority which may have previously exercised or been subject to the same:—All powers, rights, duties, capacities, liabilities, and obligations within such district exercisable or attaching by and to a local board under the Local Government Acts, and by and to the sewer authority under the Sewage Utilization Acts, and by and to the nuisance authority under the Nuisances Removal Acts, and by and to the local authority under the Common Lodging Houses Acts, the Artizans and Labourers Dwellings Act, and the Bakehouse Regulation Act, or by and to any of the said authorities under any of such Acts, or any Acts amending such Acts.

Where the Baths and Washhouses Acts and the Labouring Classes Lodging Houses Acts or any of them are in force within the district of any urban sanitary authority, such authority shall have all powers, rights, duties, capacities, liabilities and obligations in relation to such Acts exercisable by or attached to the council, incorporated commissioners, local board, improvement commissioners, and other commissioners or persons acting in the execution of the said Acts or any of them.

Where the Baths and Washhouses Acts are not in force within the district of any urban sanitary authority, such urban sanitary authority may adopt such Acts, and where the Labouring Classes Lodging Houses Acts are not in force within the district of any urban sanitary authority, such urban sanitary authority may adopt such Acts.

8. *Powers and duties of rural sanitary authority.*] Subject to the provisions of this Act, and from and after the first meeting of a rural sanitary authority in pursuance of this Act, there shall be transferred and attached to a rural sanitary authority, to the exclusion of any other authority which may have previously exercised or been subject to the same, all powers, rights, duties, capacities, liabilities, and obligations within such district exercisable or attaching by and to the sewer authority under the Sewage Utilization Acts, and by and to the nuisance authority under the Nuisances Removal Acts, and by and to the local authority under the Common Lodging Houses Acts, the Diseases Prevention Act, and the Bakehouse Regulation Act, or by and to any of the said authorities under any of such Acts, or any Acts amending such Acts.

9. *Transfer of property to sanitary authority, and effect of transfer of property and powers.*] From and after the first meeting of the sanitary authority of a sanitary district, all such property, real and personal, including all interest, easements, and rights in, to, and out of property, real and personal (including things in action), as belongs to, or is vested in, or would but for this Act have belonged to or been vested in, any authority whose powers, rights, duties, capacities, liabilities, and obligations are transferred to the sanitary authority, shall, so far as such property is applicable to and for the purposes of any such powers, rights, duties, liabilities, capacities, or obligations, pass to and vest in the sanitary authority, subject to all debts, liabilities, and obligations affecting the property so transferred.

All debts, liabilities, and obligations incurred by the authority whose powers, rights, duties, liabilities capacities, and obligations are so transferred may be enforced against the sanitary authority to the same extent and in the same manner as they might have been enforced against the authority from which such transfer has taken place, and such last-mentioned authority shall be deemed to be discharged from such debts, liabilities, and obligations.

All property by this section transferred to a sanitary authority shall be held by it upon trust for the district or several parishes or places respectively within its jurisdiction to which such property belonged, or for the benefit of which such property was held previously to its transfer.

10. *Officer of health and other officers to be appointed by sanitary authorities.*] It shall be the duty of every urban sanitary authority to appoint from time to time a medical officer of health being a legally qualified medical practitioner.

It shall be the duty of every rural sanitary authority to appoint from time to time a medical officer or officers of health, being qualified as aforesaid, an inspector or inspectors of nuisances, a clerk, and a treasurer, and such other officers and servants as it may deem necessary for the efficient execution of the purposes of the Sanitary Acts; and the appointments of medical officers of health and inspectors of nuisances first made after the passing of this Act shall be for a period not exceeding five years.

The Local Government Board shall have the same powers as they have in the case of a district medical officer of a union with regard to the qualification, appointment, duties, salary, and tenure of office of a medical officer of health or other officer of a sanitary authority, any portion of whose salary is paid out of moneys voted by Parliament.

The same person may, with the sanction of the Local Government Board, be appointed the medical officer of health, or the inspector of nuisances for two or more sanitary districts, by the joint or several appointment of the sanitary authorities of such districts, and with the like sanction any district medical officer of a union may be appointed a medical officer of health.

A medical officer of health may exercise any of the powers with which an inspector of nuisances is invested by the Sanitary Acts or any of them.

11. *Repeal of section 4 of Artizans and Labourers Dwellings Act, 1868.*] The fourth section of "The Artizans and Labourers Dwellings Act, 1868," is hereby repealed, and all powers and duties conferred and imposed on officers of health under the said Act shall be exercised and performed by the medical officers of health from time to time appointed under the Sanitary Acts or this Act or any Local Act.

12. *Clerk and treasurer of certain authorities.*] Where the council of a borough or improvement commissioners, having been previously to the passing of this Act a local board, have appointed, in their capacity of local board, a different person as clerk or treasurer from the person who is their clerk or treasurer in their capacity of council or improvement commissioners, the clerk or treasurer so appointed by them shall continue to hold his office upon the terms upon which he held the same at the passing of this Act, but on such clerk or treasurer vacating the office it shall be discontinued as a separate office, and the person for the time acting as clerk or treasurer to such council or improvement commissioners, in their capacity of council or improvement commissioners, shall perform the duties of clerk or treasurer under the Sanitary Acts.

with such additional remuneration as the council or improvement commissioners may determine.

The clerk and treasurer of the union shall be the clerk and treasurer of the rural sanitary authority having jurisdiction in such union, but there may be awarded to such clerk and treasurer, in respect to their additional duties under the Sanitary Acts, such remuneration as the rural sanitary authority may, with the approval of the Local Government Board, determine.

13. *Appointment of committees by rural sanitary authority.* A rural sanitary authority may, at any meeting specially convened for the purpose, delegate for the current year of its office all its powers to a committee consisting wholly of its own members; provided always, that one third at least of such committee shall consist of ex-officio guardians, but in case an adequate number of such ex-officio guardians shall not exist, then the numbers so deficient shall be made up of elected guardians; and any such committee shall have the powers by this Act vested in the rural sanitary authority by which it was formed, and shall be deemed to be during such year of office as aforesaid the rural sanitary authority of the district.

A rural sanitary authority (including any committee so formed as aforesaid) may at any meeting specially convened for the purpose form for any parish or contributory place within its district a parochial committee consisting wholly of members of such sanitary authority or committee, or partly of such members and partly of such other persons contributing to the rate levied for sanitary purposes in such parish or contributory place, and qualified in such other manner (if any) as the authority forming such parochial committee may determine.

A parochial committee shall be subject to any regulations and restrictions which may be imposed by the authority which formed it: Provided that no jurisdiction shall be given to a parochial committee beyond the limits of the parish or contributory place for which it is formed, and that no powers shall be delegated to a parochial committee except powers which the rural sanitary authority could exercise within such parish or contributory place.

A rural sanitary authority (including any committee so formed as aforesaid) may from time to time add to or diminish the number of the members or otherwise alter the constitution of any parochial committee formed by it, or dissolve any parochial committee.

A parochial committee shall be deemed to be the agents of the authority which formed it, and the appointment of such committee shall not relieve that authority from any obligation imposed on it by Act of Parliament or otherwise.

A committee may elect a chairman of its meetings. If no chairman is elected, or if the chairman elected is not present at the time appointed for holding the meeting, the members present shall choose one of their number to be chairman of such meeting. A committee may meet and adjourn as it thinks proper. The quorum of a committee shall consist of such number of members as may be prescribed by the authority that appointed it, or, if no number be prescribed, of three members. Every question at a meeting shall be determined by a majority of votes of the members present and voting on that question; and in case of an equal division of votes the chairman shall have a second or casting vote.

The proceedings of a committee shall not be invalidated by any vacancy or vacancies amongst its members.

14. 29 & 30 Vict. c. 90, s. 4, *repealed.* The fourth section of "The Sanitary Act, 1866," is hereby repealed.

15. *Powers of inspectors of Local Government Board.* Inspectors of the Local Government Board may attend any meetings of local boards, or rural sanitary authorities, when and as directed by the Local Government Board, and such inspectors shall, for the purposes of any inquiry directed by the Local Government Board, in relation to witnesses and their examination, the production of papers and accounts, the inspection of places and matters required to be inspected, have for the purposes of the Sanitary Acts similar powers to those which Poor Law inspectors have under the Acts relating to the poor law for the purposes of those Acts. The sanitary authority of the district of Oxford shall not, for the purposes of this section, be deemed to be a local board.

16. *Expenses of urban sanitary authority.* All expenses incurred or payable by an urban sanitary authority under the Sanitary Acts shall, if the Local Government Acts, or the provisions of those Acts with respect to rating, were at or immediately before the passing of this Act in force throughout the district of such authority, or within a Local Government district wholly within such district, be defrayed in manner provided by those Acts; and if the Local Government Acts were not so in force at or immediately before the passing of this Act be defrayed as follows; that is to say,

1. In the case of the council of a borough, out of the borough fund or borough rate;
2. In the case of improvement commissioners, out of any rate in the nature of a general district rate leviable by them as such commissioners throughout the whole of their district:

Provided that where an urban sanitary authority had, before the passing of this Act, power to levy within its district a rate or rates for paving, sewerage, or other sanitary purposes, all expenses incurred by such authority in the performance of its duties under the Sanitary Acts shall be defrayed out of such rate or rates, except where at the time of the passing of this Act any such expenses were chargeable upon the borough fund or borough rate, in which case such expenses shall continue so chargeable.

17. *Expenses of rural sanitary authority.* The expenses incurred by a rural sanitary authority under the Sanitary Acts shall be divided into general expenses and special expenses.

General expenses, other than those chargeable upon owners and occupiers under the Sanitary Acts, shall be the expenses of the establishment and officers of the sanitary authority, the expenses in relation to disinfection, the providing conveyance for infected persons, and all other expenses not determined by this Act or the order of the Local Government Board to be special expenses.

Special expenses shall be the expenses of the construction of sewers in any contributory place within the district, the providing a supply of water to any such place, and all other expenses incurred or payable by the sanitary authority in or in respect of any contributory place within the district, and determined by the order of the Local Government Board to be special expenses.

When the rural sanitary authority makes any sewers or provides any water supply or executes any other work under Sanitary Acts for the common benefit of any two or more contributory places within its district, it may apportion the expense of constructing any such work, and of maintaining the same, in such proportions as it thinks just, between such contributory places, and any expense so apportioned to any such contributory place shall be deemed to be special expenses legally incurred in respect of such contributory place.

The overseers of any contributory place, if aggrieved by any such appointment, may within twenty-one days after notice has been given to them of the appointment, send or deliver a memorial to the Local Government Board stating their grounds of complaint, and the said Board may make such order in the matter as to it may seem equitable, and the order so made shall be binding and conclusive upon all parties concerned.

General expenses shall be payable out of a common fund to be raised out of the poor rate of the parishes in the district according to the rateable value of each parish and contributory place in manner hereinafter mentioned.

Special expenses shall be a separate charge on each contributory place.

The following areas situated in a rural sanitary district shall be contributory places for the purposes of this Act; that is to say,

1. Every parish not having any part of its area within the limits of a special drainage district or of an urban sanitary district; and
2. Every special drainage district; and
3. In the case of a parish wholly situated in a rural sanitary district and part of which forms or is part of a special drainage district, such portion of that parish as is not comprised within such special drainage district; and
4. In the case of a parish a part of which is situated within the limits of an urban sanitary district, such portion of that parish as is not comprised within

such urban sanitary district, or within a special drainage district.

18. *Mode of raising contributions in rural sanitary district.*] For the purpose of obtaining payment from the several parishes and contributory places within its district of the sum to be contributed by them, the rural sanitary authority shall issue its precept to the overseers of each parish and contributory place situated within its district requiring such overseers to pay, within a time limited by the precept, the amount specified in such precept to the rural sanitary authority, or to some person appointed by it, care being taken to issue separate precepts in respect of contributions for general expenses and special expenses, or to make such expenses respectively separate items in any precept including both classes of expenses.

Where a contributory place or part of a contributory place is part of a parish as defined by this Act, the overseers of such parish shall for the purposes of this Act be deemed to be the overseers of such contributory place or such part thereof.

The overseers shall comply with the requisitions of such precept by paying the contribution required in respect of general expenses out of the poor rate of their respective parishes, and with respect to special expenses by raising the contribution required by the levy (in the case of an entire parish on the whole of such parish, and in the case of a contributory place or part of a contributory place forming part of a parish, by the levy on such place or such part thereof, exclusive of the rest of the parish) of a separate rate in the same manner and with the same exemption in every respect as if it were a rate levied in pursuance of the seventeenth section of the Sewage Utilization Act, 1867, for the purpose of satisfying the requisitions of a precept of such sewer authority as is in the said section mentioned.

A separate rate under this Act shall, as respects the powers of the overseers in relation to making, assessing, and levying such rate, and as respects the appeal against such rate, and all other incidents thereof except the purposes to which it is applicable, and such exemption as aforesaid, and except the allowance of justices, which shall not be required, be subject to the same provisions as apply in law to a rate levied for the relief of the poor; and the overseers of a parish shall have the same powers of levying such separate rate in a contributory place or part of a contributory place, forming part of their parish, as they would have if such contributory place or such part thereof constituted the whole of their parish.

Where a contribution for general expenses is required from a contributory place or part of a contributory place which is part of a parish the overseers shall from time to time levy such increase of rate from the contributory place or such part thereof as may be sufficient to recoup the parish for the sum it has paid on account of the contributory place or such part thereof in respect of general expenses under this Act, and carry the same to the general account of the parish, and such increase of rate shall be raised in such contributory place or part of a contributory place by an addition to the poor rate, or by a separate rate to be assessed, made, allowed, published, collected, and levied in the same manner as a poor rate. The officers ordinarily employed in the collection of the poor rate shall, if required by the overseers, collect any separate rate made under this section, and receive such remuneration for the additional duty as the overseers with the consent of the vestry may determine.

The overseers shall at the expiration of their term of office pay any surplus in their hands arising from any separate rate levied in pursuance of this Act above the amount for which the rate was made to the rural sanitary authority or to such person as it may appoint, to the credit of the contributory place within which or within part of which such rate was made, and such surplus shall go in reduction of the next call that may be made on such contributory place or such part thereof for the purpose of defraying the expenses incurred by the rural sanitary authority.

19. *Remedy for nonpayment by overseers of amount required by precept of sanitary authority.*] If the amount required by any precept of a rural sanitary authority to be paid by the overseers of any parish be not paid in manner directed by such precept and within the time therein specified for that purpose, the rural sanitary authority shall have the like remedy for recovery from the overseers of such amount as is not paid as guardians have for the time being for recovery from overseers of contributions of parishes, and for that

purpose the precept of the rural sanitary authority requiring the payment shall be conclusive evidence of the amount thereof.

Port Sanitary Authorities.

20. *Sanitary authorities of ports to be constituted.*] The Local Government Board may, by provisional order, permanently constitute any sanitary authority whose district or part of whose district forms part of or abuts upon any part of a port in England, or the waters of such port, or any conservators, commissioners, or other persons having authority in or over such port or any part thereof (which sanitary authority conservators, commissioners, or other persons are in this Act referred to as a "riparian authority"), the sanitary authority of the whole of such port, or of any part thereof, and may by such order assign to it (in this Act referred to as the "port sanitary authority") any powers, rights, duties, capacities, liabilities, and obligations under the Sanitary Acts, or any of them, and direct the mode in which the expenses of such port sanitary authority are to be paid; and until such provisional order has been made and confirmed by Parliament, the Local Government Board may by order temporarily constitute any such riparian authority as aforesaid the port sanitary authority of the whole port, or of any part thereof, for the purposes of the Sanitary Acts, or any provisions thereof.

A port shall mean a port as established for the purposes of the laws relating to the Customs of the United Kingdom.

The order of the Local Government Board constituting a port sanitary authority shall be deemed to give such authority jurisdiction over all waters within the limits of such port, and also over the whole or such portions of the district within the jurisdiction of any riparian authority as may be specified in the order.

A port sanitary authority may, with the sanction of the Local Government Board, delegate to any other riparian authority within or bordering upon its district the exercise of any powers conferred on such port sanitary authority by the order of the Local Government Board, but except in so far as such delegation may extend no other sanitary authority shall exercise any powers conferred on a port sanitary authority by the order of the Local Government Board within the district of such port sanitary authority.

The Local Government Board may, in pursuance of this section, constitute a port sanitary authority by uniting two or more riparian authorities instead of making one riparian authority, only a port sanitary authority, as hereinafter provided with reference to the formation of sanitary district or united district, and may assign to the port sanitary authority so constituted any of the powers, rights, duties, capacities, liabilities, and obligations aforesaid.

This section shall extend to the port of London, but the mayor, aldermen, and commons of the City of London shall be deemed to be the sanitary authority of the port of London, and shall pay out of their corporate funds all their expenses as such port sanitary authority.

12. *Expenses of port sanitary authority how to be defrayed.*] Any expenses incurred by a port sanitary authority constituted temporarily in carrying into effect any sanitary purposes shall be defrayed out of a common fund to be contributed by the riparian sanitary authorities in such proportions as the Local Government Board thinks just.

Such port sanitary authority, if itself a sanitary authority independently of its character of a port authority, shall raise the proportion of expenses due in respect of its own district in the same manner as if such expenses had been incurred by it in the ordinary manner for the purposes of this Act.

For the purpose of obtaining payment from the contributory riparian sanitary authorities of the sums to be contributed by them, such port sanitary authority shall issue its precept to each such authority requiring it, within a time limited by the precept, to pay the amount therein mentioned to such port sanitary authority or to such person as such port sanitary authority may direct.

Any contribution payable by a riparian sanitary authority to such port sanitary authority shall be a debt due from it, and may be recovered accordingly, such contribution in the case of a rural sanitary authority being deemed general expenses of that authority. If any riparian sanitary authority makes default in complying with the precept addressed to it by such port sanitary authority, such port sanitary authority may, instead of instituting proceedings for the recovery of the debt, or in addition to such proceedings, as to any part of the debt which may for the time being be unpaid,

proceed in a summary manner, as hereinafter mentioned, to raise within the district of the defaulting authority such sum as may be sufficient to pay the debt due.

Alterations of Areas.

22. *Alterations of areas and local authorities.*] The following regulations shall be made as to the alteration of areas and local authorities:

1. The Local Government Board, by provisional order, may dissolve any Local Government district and may merge any such district in some other sanitary district or districts, or it may, by provisional order, declare any portion of a local government or a rural sanitary district immediately adjoining a Local Government district to be included in such last-mentioned district, and thereupon such included portion shall, for all sanitary purposes, be deemed to form part of such last-mentioned district; and the remaining part of such Local Government district or rural sanitary district shall continue subject to the like jurisdiction for sanitary purposes as it would have been subject to if such order had not been made unless and until the Local Government Board by provisional order otherwise directs:
2. In the case of a borough comprising within its area the whole of an Improvement Act district, or having an area coextensive with such district, the Local Government Board may, by provisional order, dissolve such district and transfer to the council of the borough the jurisdiction and powers of the Improvement Commissioners of such district.
3. Where a special drainage district has been formed under the Sewage Utilization Act previously to the passing of this Act, but no works have been executed therein in respect of which a loan has been raised, such district may, by order of the Local Government Board, be dissolved:
4. Where a special drainage district has been formed under the Sewage Utilization Act previously to the passing of this Act, and works have been executed therein in respect of which a loan has been raised, the Local Government Board may, by provisional order, dissolve such district and merge it in the parish or parishes in which it is situated.

Any order made in pursuance of this section may, if necessary, provide for the settlement of any differences, or the adjustment of any accounts or apportionment of any liabilities arising between districts, parishes, or other places in consequence of the exercise of any powers conferred by this section, and direct the persons by whom and to whom any moneys found to be due are to be paid, and the mode of raising such moneys; and where any Local Government district is diminished or increased in extent under this section the provisional order shall prescribe the number of members to be elected for the district when altered.

23. *Application of urban sanitary provisions to rural sanitary district.*] The Local Government Board may, on the application of the authority of any rural sanitary district, or of ratepayers, the assessment of whose hereditaments amounts at the least to one tenth of the net rateable value of such district, or of any contributory place therein, by order, to be published in the London Gazette, or in such other manner as the Local Government Board may direct, invest such authority with all or any of the powers, rights, duties, capacities, liabilities, and obligations of an urban sanitary authority, and such investment may be made either unconditionally or subject to any conditions to be specified by the Board as to the time, portion of its district, or manner during, at, and in which such powers, rights, duties, liabilities, capacities, and obligations are to be exercised and attach: Provided that an order of the Local Government Board made in pursuance of an application from one tenth of the persons rated to the relief of the poor in any contributory place shall not invest the rural sanitary authority with any new powers beyond the limits of such contributory place.

24. *Power for Local Government Board to constitute Local Government districts.*] The Local Government Board may, by provisional order, declare any rural sanitary district, or any portion of any rural sanitary district or districts, to be an urban sanitary district; and, upon such order being confirmed by Parliament the district or portion of the district or districts referred to therein shall become a Local Govern-

ment district, and shall be subject to the jurisdiction of a local board, and the expenses incurred by such board in the performance of its duties under the Sanitary Acts shall be defrayed in manner provided by the Local Government Acts.

25. *As to adoption of Local Government Acts, and constitution of special drainage district.*] After the passing of this Act, the Local Government Acts shall not, nor shall any provision thereof, be adopted in or by any place without the consent of the Local Government Board, and it shall be lawful for a rural sanitary authority, with the consent of the Local Government Board, but not otherwise, to constitute any portion of the area within its jurisdiction a special drainage district; and thereupon such area shall become a separate contributory place.

Union of Districts.

26. *Formation of united district.*] Where it appears to the Local Government Board on the application of the sanitary authorities of any sanitary districts, or of any of such authorities, and after due inquiry, that it would be for the advantage of such sanitary districts, or any of them, or any parts thereof, or of any contributory places in any rural sanitary district or districts, to be formed into a united district for all or any of the purposes following; that is to say,

1. The procuring a common supply of water; or
2. The making a main sewer or carrying into effect a system of sewerage for the use of all such districts or contributory places; or

3. For any other purposes of the Sanitary Acts; the Local Government Board may, by provisional order, form such districts or contributory places into a united district.

27. *Mode of forming united district.*] The following enactments shall take effect in relation to making a provisional order forming a united district; that is to say;

1. Notice of the provisional order shall be published in some newspaper circulating in the district to which it relates, and in such other manner as the Local Government Board may direct:
2. All costs, charges, and expenses of and incidental to the formation of a united district shall, in the event of the united district being formed, be a first charge on the rates leviable in the united district in pursuance of this Act;
3. The making of a provisional order shall be *prima facie* evidence that all the requirements of this Act in respect of proceedings required to be taken previously to the making of such provisional order have been complied with.

28. *Governing body of united district.*] The governing body of a united district shall be a joint board consisting of such *ex officio* members and of such number of elective members as the Local Government Board may by the provisional order forming the district determine.

A joint board shall be a body corporate by such name as may be determined by the provisional order, having a perpetual succession and common seal, with power to acquire and hold lands for the purposes of its constitution, without any license in mortmain.

No act or proceeding of a joint board shall be questioned on account of any vacancy or vacancies therein.

No defect in the qualification or election of any person or persons acting as a member or members of a joint board shall be deemed to vitiate any proceedings of such board in which he or they has or have taken part.

Any minute made of proceedings at a meeting of a joint board, if signed either at the meeting at which such proceedings took place, or at the next ensuing meeting, by any person purporting for the time being to be the chairman of the board, shall be receivable in evidence of such proceedings in all legal proceedings without further proof; and until the contrary is proved every meeting of a joint board where minutes have been so made of the proceedings shall be deemed to have been duly conveyed and held, and all the members thereof to have been duly qualified.

No member of a joint board by being party to, or executing in his capacity of member, any contract or other instrument on behalf of the board, or otherwise exercising any of the powers given to the board, shall be subject individually to any action, suit, trial, prosecution, or other legal proceeding; and a joint board may apply any moneys from time to time coming into its hands for the purpose of paying any costs of legal proceedings or damages it may incur in the

exercise of the powers granted to it; Provided that nothing in this section shall exempt any member of a joint board from liability to be surcharged with the amount of any payment which may be disallowed by the auditor in the accounts of such joint board, and which such member authorised or joined in authorising.

29. *Regulation as to constitution of joint board.*] The provisional order forming a united district under this Act shall define the purposes for which such united district is formed, and the powers, rights, duties, capacities, liabilities, and obligations under the Sanitary Acts which the joint board is authorised to exercise or perform or is made subject to and shall contain regulations as to the qualification and mode of election of elective members of the joint board, as to their continuance in office, as to casual vacancies in the joint board, as to its meetings and officers, and any other matter or thing, including the adjustment of present and future liabilities and property with respect to which the Local Government Board may think fit to make any regulations for the better carrying into effect the provisions of this Act with respect to united districts.

Upon the constitution of a joint board the sanitary authorities having jurisdiction in the component districts or contributory places shall cease to exercise therein any powers, or to perform any duties or to be subject to any liabilities or obligations, which the joint board is authorised to exercise or perform, or is made subject to; nevertheless, the said joint board may delegate to the sanitary authority of any component district the exercise of any of its powers or the performance of any of its duties.

30. *Expenses incurred by joint board how to be defrayed.*] Any expenses incurred by a joint board in pursuance of this Act, unless otherwise determined by the provisional order, shall be defrayed out of a common fund, to be contributed by the component districts or contributory places in proportion to the rateable value of the property in each district or contributory place, such value to be ascertained according to the valuation list in force for the time being.

A joint board may borrow and take up at interest on the credit of such common fund any sums of money necessary for defraying any such expenses, subject to the regulations of the Local Government Acts with respect to borrowing by local boards under those Acts.

31. *Payment of contributions to joint board.*] For the purpose of obtaining payment from component districts of the sums to be contributed by them, the joint board shall issue its precept to the sanitary authority of each component district stating the sum to be contributed by it, and requiring such authority, within a time limited by the precept, to pay the sums therein mentioned to the joint board, or to such person as the joint board may direct.

Any sum mentioned in a precept addressed by a joint board to a sanitary authority as aforesaid shall be a debt due from it, and may be recovered accordingly, such contribution in the case of a rural sanitary authority being deemed to be general expenses.

If any sanitary authority makes default in complying with the precept addressed to it, the joint board may, instead of instituting proceedings for the recovery of a debt or in addition to such proceedings as to any part of a debt which may for the time being be unpaid, proceed in a summary manner as hereinafter mentioned to raise within the district of the defaulting authority such sum as may be sufficient to pay the sum due.

For the purpose of obtaining payment from contributory places of the sums to be contributed by them the joint board shall have the same powers of issuing precepts and of recovering the amounts named therein as if such contributory places formed a rural sanitary district and the joint board were the sanitary authority thereof.

32. *Use of sewer of adjacent district for outfall of district above it.*] A sanitary authority unto whose district the district of another sanitary authority is subjugant may, by agreement with the last-mentioned authority, and with the sanction of the Local Government Board, given on the application of the first-named authority after public inquiry, if the Local Government Board think such inquiry necessary, cause the sewers of its district to communicate for the purpose of outfall with the sewers of the adjacent district, and for the purpose of reception, disinfection, distribution, and disposal of the sewage of such first-named authority by the authority of the adjacent district, or for all, any, or either

of those purposes, upon such terms as to payment or otherwise, in such manner as to making and maintaining the outfall, and with and subject to such conditions, precautions, and restrictions as shall be agreed upon between the sanitary authorities, or, in case of dispute, shall be settled by the Local Government Board: Provided that so far as practicable storm waters shall be prevented from flowing from the sewers of the higher into the sewers of the adjacent district, and that the sewage of other districts or places shall not be permitted by the sanitary authority of the higher district to pass into their sewers so as to be discharged through such outfall into the sewers of the adjacent district without the consent of such last-mentioned district; and all expenses incurred in pursuance of this section by the said sanitary authorities, or either of them, shall be deemed to be expenses incurred by them respectively in performance of their duties under the Sanitary Acts, and be respectively payable accordingly out of the rates cut of which such expenses are by this Act made payable, or out of moneys duly borrowed on the credit of such rates.

Repeal of Acts.

33. *Repeal of Local Acts.*] The Local Government Board may, on the application of the sanitary authority of any district, by provisional order, wholly or partially repeal, alter, or amend any Local Acts, other than Acts for the conservancy of rivers, in force in such district, and not conferring powers or privileges upon corporations, companies, undertakers, or individuals for their own pecuniary benefit, which relate to the same subject matters as the Sanitary Acts.

If any officer of any trustees, commissioners, or other body of persons intrusted with the execution of any such Local Act, and whether acting exclusively under the Local Act or partly under the Local Act and partly under provisions of the Local Government Act, is, by or in pursuance of any such provisional order or of this Act, removed from his office, or deprived of the whole or part of the emoluments of his office, and is not employed in an office of equal value by the authority of any sanitary district, the Local Government Board may by order award to such officer such compensation as the said Board may think just, and such compensation may be by way of annuity or otherwise, and shall be paid by the authority of the sanitary district in which such officer held his office out of any rates applicable to sanitary purposes within that district.

Miscellaneous.

34. *As to consent of Local Government Board required in certain cases.*] Where in any Local Acts the consent, sanction, or confirmation of one of Her Majesty's Principal Secretaries of State is required with respect to the borrowing of any money, to the giving effect to any byelaws, or to the appointment of any officer for sanitary purposes, the consent, sanction, or confirmation of the Local Government Board shall, after the passing of this Act, be required instead of that of the Secretary of State.

The consent of the Local Government Board, and not that of the Treasury, shall be required to the borrowing of money for the purposes of the Baths and Wash-houses Acts.

The approval of the Local Government Board, and not that of one of Her Majesty's Principal Secretaries of State, shall be required for the appointment and removal of analysts under an Act of the session holden in the twenty-third and twenty-fourth years of the reign of Her Majesty, intituled "An Act for preventing the adulteration of articles of food or drink."

If any question arises as to what are sanitary purposes within the meaning of this section, the determination of the Local Government Board on such question shall be conclusive.

35. *Transfer of powers and duties of Board of Trade under Alkali Act, 1863, and Metropolis Water Acts, 1852 and 1871, to Local Government Board.*] It shall be lawful for Her Majesty by Order in Council, at any time before the first day of January one thousand eight hundred and seventy-three, to direct that the powers and duties of the Board of Trade under the "Alkali Act, 1863," and any Act amending the same, and under the Metropolis Water Acts, 1852 and 1871, shall be transferred to the Local Government Board, and from and after the date of such order, or if no such order shall be made then from and after the said first day of January one thousand eight hundred and

the powers and duties of the Board of Trade under the said Acts shall be transferred to, and be exercisable and performed by the Local Government Board, and "the Local Government Board" shall be deemed to be substituted for "the Board of Trade" wherever the latter expression occurs in the said Acts.

36. *Transfer of powers and duties of Secretary of State under Highway and Turnpike Acts to Local Government Board.* From and after the passing of this Act, all powers, duties, and acts vested in, imposed on, or required to be done by or to one of Her Majesty's Principal Secretaries of State, by the several Acts of Parliament relating to highways in England and Wales, and to turnpike roads and trusts, and bridges in England and Wales, shall be transferred to, imposed on, and be done by or to the Local Government Board, subject to the conditions, liabilities, and incidents to which such powers, duties, and acts were respectively subject immediately before the passing of this Act, or as near thereto as circumstances admit.

37. *Transfer of officers to Local Government Board.* All inspectors, clerks, and other officers employed in or about the execution of the powers and duties transferred by virtue of the provisions of this Act to the Local Government Board shall, from and after such transfer, be attached to and under the control of the Local Government Board.

The officer so attached shall in other respects hold their offices and places upon the same terms and conditions, and shall have the same powers, privileges, and immunities with respect to the performance of their duties, as if this Act had not passed.

The Local Government Board may by order distribute the business to be performed under the Local Government Board amongst the several officers and persons transferred by this Act to the Board in such manner as the Local Government Board may think expedient.

38. *Salary of medical officer.* Whereas the medical officer of the Privy Council has under and by virtue of the sixth section of the Local Government Board Act, 1871, been attached to the Local Government Board in manner therein provided, and it is expedient to make provision as to the salary of such medical officer: Be it enacted, that notwithstanding anything contained in any Act of Parliament now in force there shall be paid out of moneys to be provided by Parliament to such medical officer such salary as the Treasury may from time to time determine, and this section shall be deemed to have taken effect as from the first day of April one thousand eight hundred and seventy.

39. *Settlement of differences arising out of transfer of powers or property to sanitary authority.* Upon the application of any authority from whom or to whom any powers, rights, duties, capacities, liabilities, obligations, and property, or any of them, are transferred, or alleged or claimed to be transferred, in pursuance of this Act, or of any person affected by such transfer, the Local Government Board may by order settle any doubt or difference and adjust any accounts arising out of or incidental to such powers, rights, duties, capacities, liabilities, obligations, or property, or to the transfer thereof, and direct the parties by whom and to whom any moneys found to be due are to be paid, and the mode of raising such moneys, and any provisions contained in any order so made shall be deemed to have been made in pursuance of and to be within the powers conferred by this section, subject to this proviso, that where any such order directs any rate to be made or other act or thing to be done, which the party required to make or do would not, apart from the provisions of this Act, have been enabled to make or do by law, such order shall be provisional only until it has been confirmed by Parliament.

40. *Power of raising money on credit of rates.* Any sanitary authority may, for the purpose of defraying any costs, charges, and expenses incurred or to be incurred by it in the performance of its duties under the Sanitary Acts, borrow and take up at interest any sums of money necessary for defraying any such costs, charges, and expenses, subject to the regulations in the Sanitary Acts.

An urban sanitary authority may borrow and take up at interest such money on the credit of all or any rates or rate out of which it is authorised by the Sanitary Acts to pay

any expenses incurred by it for sanitary purposes, and may mortgage any such rate or rates to the persons by or on behalf of whom such money is advanced for securing the repayment to them of the sums borrowed, with interest thereon.

A rural sanitary authority may borrow and take up at interest such money, if intended to be applied to purposes constituting the general expenses of such authority on the credit of the common fund out of which such expenses are payable, and if intended to be applied to purposes constituting the special expenses of such authority on the credit of any rate or rates out of which such expenses are payable, and may mortgage any such rate or rates to the persons by or on behalf of whom such money is advanced for securing the repayment to them of the sums borrowed, with interest thereon.

The words "permanent works" in the Local Government Act, 1858, shall include any works the cost of which in the opinion of the Local Government Board ought to be spread over a term of years.

The clauses of the Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners shall be incorporated with this Act, and in the construction of that Act "the special Act" shall mean this Act; "the Commissioners" shall mean any authority authorised to borrow by this Act; "the clerk of the Commissioners" shall include any officer appointed for the purpose by any such authority.

The mortgagees or assignees of any mortgage made in pursuance of this Act may enforce payment of the arrears of principal and interest due to them by the appointment of a receiver.

41. *Power of raising money on credit of sewage land and plant.* Where any sanitary authority or joint board is possessed of any land, works, or other property in pursuance and for the purposes of the Sewage Utilization Act, 1867, such authority or joint board may borrow any moneys on the credit of such lands, works, or other property, and may mortgage such lands, works, or other property to any person advancing such moneys, in the same manner in all respects as if such sanitary authority or joint board were the absolute owner, both at law and in equity, of the lands, works, or other property so mortgaged. The money so borrowed shall be applied for purposes for which moneys may be borrowed under the Sanitary Acts; but it shall not be in any way incumbent on the mortgagees to see to the application of such moneys, nor shall they be responsible for any misapplication thereof.

The powers of borrowing conferred by this section shall, where the sums borrowed do not exceed three fourths of the purchase money of such lands (but not otherwise), be deemed to be distinct from and in addition to the general borrowing powers conferred on a sanitary authority or joint board by the Sanitary Acts. The sanitary authority or joint board may pay out of any rates leviable by it for sanitary purposes the interest on any moneys borrowed by such authority or joint board in pursuance of this section.

42. *Repeal of section 151 of Public Health Act, 1848.* From and after the passing of this Act, section one hundred and fifty-one of the Public Health Act, 1848, shall be repealed: Provided always, that any deed or other instrument actually executed prior to the passing of this Act by or in favour of any municipal corporation or other body acting as and being a Local Board of Health or Local Board, and exempt from stamp duty under the said Act, shall be valid for all intents and purposes although the same has not been stamped.

43. *Limit of rating under Local Acts not to apply to expenses for sanitary purposes.* Any limit imposed on or in respect of any rate by any Local Act of Parliament shall not apply to any rate required to be levied for the purpose of defraying any expenses incurred by a sanitary authority for sanitary purposes.

44. *Public Works Loan Commissioners may lend to sanitary authority on security of rates.* The Public Works Loan Commissioners may, on the recommendation of the Local Government Board, make any loan to any sanitary authority in pursuance of any powers of borrowing conferred by the Sanitary Acts, whether for works already executed or yet to be executed, and such loan to be repaid within a period not exceeding thirty or fifty years, as provided by those

Acts, and to bear interest at the rate of three and a half per centum per annum, or such other rates as may, in the judgment of the Lords Commissioners of the Treasury, be necessary, in order to enable the loan to be made without loss to the Exchequer, on the security of any fund or rate applicable to sanitary purposes, and without requiring any further or other security :

Provided as follows :

1. That in determining the time when a loan under this section shall be repayable the Local Government Board shall have regard to the probable duration and continuing utility of the works in respect of which the same is required :
2. That in the case of any loan already made to any sanitary authority in pursuance of any powers conferred by the Sanitary Acts, the Public Works Loan Commissioners may reduce the interest payable thereon to the rate of not less than three and a half per centum per annum :
3. That this section shall not extend to any loan under "The Sanitary Loans Act, 1869," required for the purpose of defraying the expenses incurred or to be incurred by the Local Government Board in the performance of the duty of a defaulting local authority after the passing of this Act.

45. *Confirmation of provisional orders by Parliament.* The Local Government Board shall not make any provisional order under this Act, unless public notice shall have been previously given by advertisement in two successive weeks in some newspaper published or circulating in the district to which such provisional order relates, and after hearing any objections which may be made thereto by any persons affected thereby, and in the cases which the subject-matter is one to which a local inquiry is applicable, until it has made, by one of its inspectors, a local inquiry of which public notice has been given, and at which all persons interested have been permitted to attend and make objections.

The Local Government Board may submit to Parliament for confirmation any provisional order made by it in pursuance of this Act, but any such provisional order shall be of no force whatever unless and until it is confirmed by Parliament. If while the Bill confirming such order is pending in either House of Parliament a petition is presented against any provisional order comprised therein, the Bill, so far as it relates to such order, may be referred to a select committee, and the petitioner shall be allowed to appear and oppose as in the case of a Bill for a special Act.

Any Act confirming any provisional order issued in pursuance of the Sanitary Acts or any of them may be repealed, altered, or amended by any provisional order made by the Local Government Board and duly confirmed by Parliament. The Local Government Board may revoke, either wholly or partially, any provisional order made by them before the same is confirmed by Parliament ; but such revocation shall not be made whilst the Bill confirming the order is pending in either House of Parliament.

46. *Securities under certain provisional orders to be valid.* Where by any provisional order under the Sanitary Acts extending the borrowing powers of a Local Board, and confirmed by Act of Parliament, it is directed that the sums borrowed shall be repaid within a period of fifty years from the date of the borrowing thereof, any security which has been given for a sum so borrowed shall not be invalid by reason of the same having been made repayable within a period of less than fifty years from the borrowing thereof.

47. *Costs of provisional orders.* The reasonable costs of any sanitary authority in respect of provisional orders made in pursuance of the Sanitary Acts, or any of such Acts, and of the inquiry preliminary thereto, as sanctioned by the Local Government Board, whether in promoting or opposing the same, shall be deemed to be expenses properly incurred for sanitary purposes by the sanitary authority interested in or affected by such provisional orders, and such costs shall be paid accordingly ; and if thought expedient by the Local Government Board the sanitary authority may contract a loan for the purpose of defraying such costs.

48. *Order of the Local Government Board how to be published.* Every order of the Local Government Board under the Sanitary Acts (unless otherwise prescribed by the said Acts) shall be published in such manner as that Board may direct ; and every general order of the Local Government

Board, made in pursuance of the Poor Law Amendment Act, 1834, and the several Acts amending the same, shall be published in the London Gazette, and when so published shall take effect in like manner and shall be of as much force and validity as any general order of the Poor Law Board made and sent in the manner prescribed by the last-mentioned Acts, and no further proceedings shall be necessary in such behalf ; and as regards any single order of the said Board, made in pursuance of the said last-mentioned Acts, it shall not be necessary henceforth to send a copy thereof to the clerk to the justices of the petty sessions.

49. *Audit of accounts.* The accounts of every sanitary authority shall be made up in such form and to such day or days in every year as may be appointed by the Local Government Board ; the accounts of every rural sanitary authority shall be audited in every respect in the same manner as their accounts are audited in their capacity of guardians.

The accounts of the overseers collecting or paying any money for the purposes of the Sanitary Acts shall be audited in the same manner as the accounts of overseers collecting or paying any money for the purposes of the Acts relating to the relief of the poor.

An auditor shall, with respect to the accounts audited under this section, have the like powers and be subject to the like obligations in every respect as in the case of an audit under the Acts relating to the relief of the poor, and any person aggrieved by the decision of the auditor shall have the like rights and remedies as in the case of such last-mentioned audit.

50. *Taxation of bill of solicitor or attorney.* On the application of any sanitary authority whose accounts are required by the Sanitary Acts to be audited to the clerk of the peace of the county in which the area under the jurisdiction of such authority is wholly or in part situated, his deputy shall tax any bill due to any solicitor or attorney in respect of legal business performed on behalf of such authority ; and the allowance of any sum on such taxation shall be prima facie evidence of the reasonableness of the amount, but not of the legality of the charge.

The clerk of the peace shall be allowed for such taxation a remuneration after the rate to be fixed by the master of the Crown Office, and declared by an order of the Local Government Board.

If any such bill is not taxed by the clerk of the peace or some other duly authorised taxing officer before being presented to the auditor, the auditor's decision upon the reasonableness and the legality of the charge shall be final.

51. *Sanitary authority may order destruction of infectious bedding, &c., and give compensation for same.* Every sanitary authority shall have power to direct the destruction of any bedding, clothing, or other articles which have been exposed to infection from any dangerous infectious disorder, and to give compensation for the same.

52. *Penalty on breach of rules made under s. 52 of 29 & 30 Vict. c. 90.* Any person wilfully neglecting, or refusing to obey or carry out, or obstructing the execution of any rule, order, or regulation made by the Local Government Board under section fifty-two of the Sanitary Act, 1866, shall be guilty of an offence punishable on summary conviction before two justices, and be liable to a penalty not exceeding fifty pounds.

Legal Proceedings.

53. *Legal position of sanitary authority.* Subject to the provisions of this Act, every sanitary authority shall, as respects the service of notices in pursuance of the Sanitary Acts, by or on behalf of, or on such authority, and as respects all legal proceedings, matters, and things to be taken or done in pursuance of the Sanitary Acts, by or on behalf of or to such authority, stand in the same position in all respects in which previously to the passing of this Act, any authority stood whose powers, rights, duties, capacities, liabilities, and obligations are transferred to such authority ; and for the purposes of this section a joint board shall be deemed to be a sanitary authority.

54. *Proceedings for raising a sum for payment of debt within district of a defaulting authority.* Where any port sanitary authority, joint board, or other authority is authorised in pursuance of the Sanitary Acts to proceed in a

summary manner to raise within the district of a defaulting authority such sum as may be sufficient to pay any debt due to it, the authority so authorised for the purpose of raising such sum shall within the district of the defaulting authority have, so far as relates to the raising such sum, the same powers as if it were the defaulting authority, and as if such sum were expenses properly incurred by the defaulting authority within its district.

Where the defaulting authority has power to raise any moneys due for its expenses by levy of a rate from individual ratepayers, the authority so authorised as aforesaid shall have power to levy such a rate by any officer appointed by it and the officer so appointed shall have the same powers, and the rate shall be levied in the same manner and be subject to the same incidents in all respects as if it were being levied by the officer of the defaulting authority for the payment of the expenses of that authority, and where the defaulting authority has power to raise moneys due for its expenses by issuing precepts, or otherwise requiring payments from any other authorities, the authority so authorised as aforesaid shall have the same power as the defaulting authority would have of issuing precepts, or otherwise requiring payment from such other authorities.

Any precepts issued by the authority so authorised as aforesaid for raising the sum due to it may be enforced in the same manner in all respects as if they had been issued by the defaulting authority.

The authority so authorised as aforesaid may, in making an estimate of the sum to be raised for the purpose of paying the debt due to it, add such sums as it thinks sufficient, not exceeding ten per cent. on the debt due, and may defray thereout all costs, charges, and expenses (including compensation to any persons it may employ) to be incurred by such authority by reason of the default of the defaulting authority; and the authority so authorised as aforesaid shall apply all moneys raised by it in payment of the debt due to it, and such costs, charges, and expenses as aforesaid, and shall render the balance, if any, remaining in its hands after such application to the defaulting authority.

Saving Clauses.

55. *Relation of local Acts to general Acts.* Where in any sanitary district any Local Act is in force, providing for objects the same as or similar to the objects of any enactment of the Sanitary Acts, proceedings may be instituted, at the discretion of the authority or person instituting the same, either under the Local Act or the Sanitary Acts, or under both, subject to these qualifications:

1. That no person shall be punished for the same offence both under a Local Act and the Sanitary Acts; and,
2. That the sanitary authority shall not, by reason of any Local Act in force within its jurisdiction, be exempted from the performance of any duty or obligation to which it may be subject under the Sanitary Acts, or any of them.

56. *Saving for collegiate bodies and Government departments.* Any collegiate or other corporate body required or authorised by or in pursuance of any Act of Parliament to divert its sewers or drains from any river, or to construct new sewers, and any public department of the Government shall have the same powers and be subject to the same obligations under and in pursuance of the Sewage Utilization Act, 1867, as if this Act had not passed.

57. *Saving for Metropolitan Board of Works.* Nothing in or done under this Act shall affect any outfall or other works of the Metropolitan Boards of Works (although beyond the metropolis) executed under the Metropolis Management Acts, or take away, abridge, or prejudicially affect any right, power, authority, jurisdiction, or privilege of the Metropolitan Board of Works.

The Metropolis Management Acts means "The Metropolis Management Act, 1855," and the Acts amending or extending the same.

58. *Saving for main sewerage districts under 11 & 12 Vict. c. 63.* Where any district has been constituted in pursuance of the provisions of the Public Health Act, 1848, for the purposes of main sewerage only, the authority of such district shall have the same powers, and be subject to the same obligations under that Act, and any Act amending the same, as if this Act had not passed: Provided, that the

Local Government Board may by provisional order dissolve such district, or may invest the authority of such district with any powers, rights, duties, capacities, liabilities, and obligations exercisable by or attaching to a sanitary authority under the Sanitary Acts.

59. *Powers given by this Act to be cumulative.* All powers given by this Act shall be deemed to be in addition to and not in derogation of any other powers conferred by Act of Parliament, law, or custom, and such other powers may be exercised in the same manner as if this Act had not passed.

Definitions.

60. *Definitions.* In this Act, if not inconsistent with the context, the following terms have the meanings hereinafter respectively assigned to them; that is to say,

"Borough" means any place for the time being subject to the Act of the session of the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to provide for the Regulation of Municipal Corporations in England and Wales," and any Act amending the same:

"The metropolis" means all parishes and places in which the Metropolitan Board of Works have power to levy a main drainage rate:

"Local Government District" means any area subject to the jurisdiction of a local board constituted in pursuance of the Local Government Act, 1858, as defined by section eight of the Local Government Act Amendment Act, 1863, and "local board" means any board so constituted:

"Improvement Act district" means any area for the time being subject to the jurisdiction of any commissioners, trustees, or other persons invested by any Local Act with powers of town government and rating, and empowered under the Local Government Acts to adopt those Acts or any part or parts thereof:

"Improvement Commissioners" means the commissioners, trustees or other persons invested by any Local Act with powers of town government and rating, and empowered under the Local Government Acts to adopt those Acts or any part or parts thereof:

"Parish" means a place for which a separate poor rate is or can be made, or for which a separate overseer is or can be appointed:

"Union" means a union of parishes incorporated or united for the relief or maintenance of the poor under any public or local Act of Parliament, and includes any parish subject to the jurisdiction of a separate board of guardians:

"Guardians" means any persons or body of persons by whom the relief of the poor is administered in any union:

"Person" includes any body of persons, whether corporate or unincorporate:

"Local Government Acts" means 11 & 12 Vict. c. 63 (Public Health Act, 1848); 21 & 22 Vict. c. 98 (Local Government Act, 1858); 24 & 25 Vict. c. 61 (Local Government Act (1858) Amendment Act, 1861); 26 Vict. c. 17 (The Local Government Act Amendment Act, 1863), and any enactments amending the same:

"Labouring Classes Lodging-houses Acts" means 14 & 15 Vict. c. 34 (Labouring Classes Lodging-houses Act, 1851); 29 & 30 Vict. c. 28 (Labouring Classes Dwelling Houses Act, 1866); 30 & 31 Vict. c. 28 (Labouring Classes Dwelling Houses Act, 1867):

"Artizans and Labourers Dwellings Act" means 31 & 32 Vict. c. 130 (Artizans and Labourers Dwellings Act, 1868):

"Bakehouse Regulation Act" means 26 & 27 Vict. c. 40 (Bakehouse Regulation Act, 1863):

"Diseases Prevention Act" means 18 & 19 Vict. c. 116 (Diseases Prevention Act, 1855), as amended by 24 & 25 Vict. c. 77, ss. 10-12 (An Act to amend the Acts for the removal of nuisances and the prevention of diseases):

"Baths and Washhouses Acts" means 9 & 10 Vict. c. 74 (An Act to encourage the establishment of public baths and washhouses); 10 & 11 Vict. c. 61 (An Act

to amend the Act for the establishment of public baths and washhouses):

"Common Lodging Houses Acts" means 14 & 15 Vict. c. 28 (Common Lodging Houses Act, 1851); 16 & 17 Vict. c. 41 (Common Lodging Houses Act, 1853):

"Sewage Utilisation Acts" means 28 & 29 Vict. c. 75 (The Sewage Utilisation Act, 1865); 29 & 30 Vict. c. 90 (The Sanitary Act, 1866); 30 & 31 Vict. c. 113 (The Sewage Utilisation Act, 1867); 31 & 32 Vict. c. 115 (The Sanitary Act, 1868); 32 & 33 Vict. c. 100 (The Sanitary Loans Act, 1869); 33 & 34 Vict. c. 53 (The Sanitary Act, 1870):

"Nuisances Removal Acts" means 18 & 19 Vict. c. 121 (The Nuisances Removal Act for England, 1855); 23 & 24 Vict. c. 77 (An Act to amend the Acts for the removal of nuisances and the prevention of diseases); 26 & 27 Vict. c. 117 (The Nuisances Removal Act for England (Amendment) Act, 1863); 29 & 30 Vict. c. 41 (The Nuisances Removal Act (No. 1), 1866); 29 & 30 Vict. c. 90 (The Sanitary Act, 1866):

"Sanitary Acts" means all the above-mentioned Acts and this Act, and includes any enactments of such Acts:

"Sanitary purposes" means any objects or purposes of the Sanitary Acts:

"Sanitary authority" means "urban and rural sanitary authority."

CAP. LXXX.

An Act to enable the Commissioners of Her Majesty's Treasury to pay into the High Court of Chancery in England certain moneys being the amount paid to the Paymaster General on account of Her Majesty's Treasury in respect of the non-completion of the railway authorised by "The Kensington Station and North and South London Junction Railway Act, 1859." [10th August, 1872.]

CAP. LXXXI.

An Act to amend the Attorneys and Solicitors Act, 1860, by extending to Members of the Faculty of Advocates in Scotland the privileges conferred therein on Writers to the Signet, Solicitors before the Supreme Courts, and Procurators before the Sheriff Courts. [10th August, 1872.]

Whereas by section 15 of an Act of the session of 23 & 24 Vict. c. 127, it was enacted that every person who had been admitted and enrolled as a writer to the signet or solicitor before the Supreme Courts in Scotland, or a procurator before any of the Sheriff Courts of Scotland, should be entitled to be admitted and enrolled as an attorney or solicitor in England on three years articles.

And whereas it is expedient that similar privileges should be conferred on members of the Faculty of Advocates in Scotland:

Be it therefore enacted, &c., as follows:

1. *Power to admit members of Faculty of Advocates to be Attorneys in England.* Every person who has been admitted a member of the Faculty of Advocates in Scotland, and who, whether before or after the passing of this Act, has duly served under articles of clerkship in England or Wales to a practising attorney or solicitor for the term of three years, and has been examined and sworn in manner directed by the Act of the session of 6 & 7 Vict. c. 73, and the Acts amending the same, may be admitted and enrolled as an attorney and solicitor in England and Wales.

2. *Short title.* The short title of this Act shall be "The Attorney and Solicitors Act (1860) Amendment Act, 1872."

CAP. LXXXII.

An Act to abolish Poundage for the Collection of Income Tax in public Departments.

[10th August, 1872.]

CAP. LXXXIII.

An Act to extend the provisions of the Pensions Commutation Act, 1871, to Officers and Clerks of Telegraph Companies who are entitled to Annuities.

[10th August, 1872.]

CAP. LXXXIV.

An Act to amend the Law relating to the appointment of Revising Barristers. [10th August, 1872.]

Whereas it is expedient to amend the law respecting the appointment of revising barristers:

Be it therefore enacted, &c., as follows:

1. *Repeal of so much of s. 29 of 6 & 7 Vict. c. 18, as authorises appointment of additional revising barristers by Lord Chief Justice or judge.*

2. *Qualification of revising barrister, seven years' standing unless appointed before 1873.*

3. *Power to alter the number of revising barristers—Repeal of so much of s. 4 of 26 & 27 Vict. c. 122, as provided that the number of revising barristers should not be augmented save in accordance with s. 29 of 6 & 7 Vict. c. 18—Power conferred by 6 & 7 Vict. c. 18, s. 29, exercisable.*

CAP. LXXXV.

An Act to continue certain Turnpike Acts in Great Britain, to repeal certain other Turnpike Acts, and to make further provisions concerning Turnpike Roads. [10th August, 1872.]

CAP. LXXXVI.

An Act to amend the law relating to Borough and other Local Courts of Record. [10th August, 1872.]

Whereas it is expedient to amend the law relating to Borough and other Local Courts of Record in England or Wales: Be it therefore enacted &c., as follows:

1. *Short title.* This Act may be cited as "The Borough and Local Courts of Record Act, 1872."

2. *Her Majesty may direct certain enactments to extend to any local Court of Record.* It shall be lawful for Her Majesty from time to time by an Order in Council to direct that all or any part of the provisions of an Act passed in the first and second years of His late Majesty King William the Fourth, intituled "An Act to enable courts of law to give relief against adverse claims made upon persons having no interest in the subject of such claims," and of the provisions set forth in the schedule to this Act, shall apply to all or any local Court or Courts of Record in England or Wales; and within one month after such order shall have been made and published in the London Gazette, such provisions shall extend and apply in manner directed by such Order, and any such Order may be in like manner from time to time altered and annulled; and in and by such Order Her Majesty may alter and modify such provisions as are mentioned in the schedule, so as to adapt the same to the constitution, jurisdiction, and procedure of any such court or courts, and may direct by whom and at what time or times any powers and duties incident to the provisions applied under this Act shall and may be exercised with respect to matters in such court or courts, and may make any orders or regulations which may be deemed requisite for carrying into operation in such court or courts the provisions so applied.

3. *Her Majesty may direct that writ, &c., may be served as specified.* It shall also be lawful for Her Majesty from time to time by such Order as aforesaid to direct that any writ, order, summons, or process issuing out of or made or taken in any such Court of Record may be served in such part or parts of England and Wales as shall be specified in such Order.

4. *Two or more courts may be held at the same time.* Two or more courts may be held at the same time either for the trial of issues or for the ordinary proceedings of the court.

5. *Affidavits made before any commissioner, &c.* Affidavits made before any commissioner or other person appointed or authorised to take affidavits, either in England or elsewhere, by the High Lord Chancellor, or by any of the superior courts or by the judges thereof, may be used in the court, and the signature of any person purporting to be such commissioner, or to be a person so appointed or authorised as aforesaid, need not be verified.

6. *Power to send writs, of execution to bailiffs of county*

court.] In all cases where final judgment shall have been obtained in any action brought in the court wherein the debt or damage does not exceed twenty pounds, exclusive of costs, and also in all cases where any rule or order shall be made by the judge for the payment of any sum of money, or any costs, charges, or expenses not exceeding the sum of twenty pounds, such court shall be at liberty to send a writ or precept for the recovery of the same to the registrar of any county court within the jurisdiction of which the defendant may possess any goods or chattels, and the registrar of such county court shall stamp or seal the same, and thereupon the high bailiff of such county court shall execute the same in the same manner as if such writ or precept had been issued out of such county court, and such high bailiff shall take all the usual and proper fees thereupon, and shall make a return of what he shall have done thereunder to the bailiff or sergeant-at-mace of the court; and in all matters done under such writ or precept, or in relation thereto, such high bailiff shall be under the direction and control of the judge of the county court of which he is high bailiff, as if such writ or precept had issued out of such county court: Provided always, that the costs of more than one writ, precept, or warrant shall not be allowed against the execution debtor unless by order of the judge of the said court.

7. *Judge may appoint a deputy.*] A judge of any court may appoint a deputy or assistant judge to execute any particular portion or duty of such judge, such appointment being under such orders, and rules, and regulations as Her Majesty by Order in Council may direct, provided such deputy shall be a barrister of not less than seven years standing.

8. *Proviso as to City of London Court.*] Provided always, that in the City of London Court the same fees shall always be taken as are for the time being taken in the county courts: Provided also, that the provisions in section 12 of the schedule shall not be applied to the City of London Court, or to the Court of Record for the Hundred of Salford.

The SCHEDULE to which the Act refers.

1. *Interpretation of terms.*] In the construction of the following provisions the word "court" shall be understood to mean the Court of Record to which such provisions as aforesaid, or any of them, are made applicable by an Order of her Majesty in Council. The word "judge" shall be understood to mean the judge, deputy or assistant judge, for the time being of such court. The words "superior courts" shall be understood to mean the superior courts of common law at Westminster.

2. *Power to judge when out of the jurisdiction to hear motions.*] The judge may, at any time within such time and such manner as is permitted by the rules of the court, and whether the court be sitting or not, and either when within or when out of the limits of the jurisdiction of the court, hear and grant applications for rules to show cause in arrest of judgment, or for judgment non obstante veredicto, or for a repleader, or for granting new trials, or for entering nonsuits and verdicts in causes pending in the court to the same extent and subject to the rules and regulations to be made in respect thereof in the same manner as rules and regulations are made in the court; and all rules and orders made by the judge upon the hearing of such motions out of court shall be as valid and binding upon the parties as if the same had been made during the sittings of the court.

3. *Judge to determine fees payable to registrar and officers of the court.*] The judge shall and he is hereby required to make and settle a table of the fees to be taken by the registrar and the bailiff or other officers of the court, and such table of fees shall be submitted to two judges of the superior courts; and if such table of fees shall be confirmed and allowed by such judges, either as such table shall have been submitted to them, or with such alterations, additions, or abatements as they shall think proper, the fees therein mentioned, and no other, may thenceforth be lawfully taken by the officer therein declared to be entitled thereunto.

4. *Power to judge to alter fees from time to time.*] It shall be lawful for the judge from time to time, as occasion shall

require, to make and settle a new table of fees to be taken instead of the fees contained in the table of fees which shall have been made and settled as aforesaid, but such new table shall be of no validity until confirmed and allowed in the manner herein-before mentioned.

5. *Table of fees to be exhibited.*] The registrar shall cause a true copy of the table of fees in force for the time being to be exhibited in a conspicuous part of the office of the registrar.

6. *A special case may be stated for the opinion of one of the superior courts at Westminster.*] The parties in any action may, after issue joined by consent and by order of the registrar, state the facts of the case in the form of a special case for the opinion of any one of the superior courts, and may agree that a judgment shall be entered in the court for the plaintiff or defendant, as such superior court shall think fit.

7. *Special case to be transmitted by the registrar to the rule department.*] The registrar shall transmit such special case under seal of the court to the rule department of the master's Office of the superior court in which the case is to be argued, and thereupon all such proceedings shall be taken and rules and regulations observed in the superior court as are usual with reference to cases stated for the opinion of such superior court in actions therein pending.

8. *Upon production to registrar of rule of superior court judgment to be entered.*] The registrar, upon the production of an office copy of the rule of the superior court made upon hearing such special case, shall enter judgment in the court in conformity with the decision of the superior court.

9. *Removal of judgments into the superior courts.*] In all cases where final judgment shall be obtained in any action brought in the court, where the sum recovered exclusive of costs, is not less than twenty pounds, and also in all cases where any rule or order shall be made by the judge for the payment of any sum of money not less than twenty pounds, it shall be lawful for any judge of any of the superior courts, either in term or vacation, upon the application of any person entitled to the benefit of such judgment, rule, or order, and upon the production of such judgment, rule, or order, under the seal of the court and signature of the proper officer, to direct such judgment, rule, or order, or a copy of such judgment, rule, or order, verified by affidavit, to be filed with the clerk of the judgments of one of the superior courts, and thereupon such judgment, rule, or order shall be of the same effect as a judgment recovered in or a rule or order made by such superior court, and all proceedings shall and may be immediately had and taken thereupon, or by reason or in consequence thereof, as if such judgment so recovered, or rule or order so made, had been originally recovered in or made by the superior court; and all the reasonable costs and charges of such application and removal shall be recovered in like manner, as if the same were part of such judgment, rule, or order.

10. *Commission may be issued by a judge of a superior court to examine witnesses abroad.*] Upon the application of any of the parties to any such action depending in the court, any one of the judges of the superior courts at Westminster may order a commission to issue for the examination of witnesses upon oath at any place or places beyond the limits of England and Wales by interrogatories or otherwise, and by the same or any subsequent order or orders may give all such directions touching the time, place, and manner of such examination, and all other matters and circumstances connected with such examination, as may appear reasonable and just.

11. *Nonsuit.*] The judge shall have power to nonsuit the plaintiff in every case in which satisfactory proof shall not be given to him entitling either the plaintiff or defendant to the judgment of the court, and shall also in every case whatever have the power, if he shall think fit, to order a new trial to be had upon such terms as he shall think reasonable, and in the meantime to stay the proceedings.

12. *No actions to be removed into superior courts but on certain conditions.*] No action entered in the court shall before judgment be removed or removable from the court into any superior court by any writ or process, except by

leave of a judge of one of the superior courts in cases which shall appear to such judge fit to be tried in one of the superior courts, and upon such terms, as to payment of costs, security for debt and costs, or such other terms, as such judge shall think fit.

CAP. LXXXVII.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending the thirty-first day of March one thousand eight hundred and seventy-three, and to appropriate the Supplies granted in this Session of Parliament. [10th August, 1872.]

CAP. LXXXVIII.

An Act to continue various expiring Laws. [10th August, 1872.]

CAP. LXXXIX.

An Act to amend the Act providing Superannuation Allowances to Officers of Unions in Ireland. [10th August, 1872.]

CAP. XC.

An Act to amend "The Irish Church Act, 1869." [10th August, 1872.]

CAP. XCI.

An Act to authorise the application of Funds of Municipal Corporations and other governing bodies in certain cases. [10th August, 1872.]

20 & 21 Vict. c. 50.] Whereas by the Act passed in the session holden in the twentieth and twenty-first years of the reign of Her Majesty, intituled An Act to amend the Acts concerning the Municipal Corporations, the trustees acting under any Act of Parliament for supplying any borough, or any district within or in certain cases beyond the limits of a borough, with water or gas, or having powers for providing or maintaining any cemetery or market in or for any borough, or otherwise improving the same, are authorised and empowered to transfer to the body corporate of such borough all their rights, estates, properties and liabilities:

And whereas by the ninety-second section of the Act passed in the session holden in the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, to provide for the regulation of Municipal Corporations in England and Wales, in each borough the annual proceeds of all property and hereditaments belonging to the body corporate, and fines and rates levied in the borough, are directed to form the borough fund, and such fund is directed to be applied in the payment of certain salaries and certain expenses and the expenses necessarily incurred in carrying into effect the provisions of the said Act, and the surplus (if any) of such fund is directed to be applied, under the direction of the council, for the public benefit of the inhabitants and the improvement of the borough:

And whereas the Public Health Act, 1848, the Local Government Act, 1858, and various Local Acts of Parliament, have conferred powers of improving, cleansing, paving, lighting, and otherwise governing places or districts upon boards of health, commissioners, trustees, or other persons:

And whereas it is expedient to extend the powers of governing bodies so as to enable them to apply the borough or other funds under the control of such governing body towards such costs, charges, and expenses as may be incurred for the purposes and in the manner herein provided:

Be it therefore enacted, &c., as follows:

1. *Interpretation of terms.*] The term "governing body" in this Act shall mean the council of any municipal borough, the board of health, local board, commissioners, trustees, or other body acting under any general or Local Act of Parliament for the management, improvement, cleansing, paving, lighting, and otherwise governing places or districts, and the term "district," shall mean the borough, place, township, or district within which the governing body may for the time being have jurisdiction: Provided, however, that in the borough of Cambridge, in

any matters affecting the constitution, power, or functions of the Board of Cambridge Improvement Commissioners, as defined in the several Acts of Parliament relating thereto, the term "governing body" shall mean such board of improvement commissioners, and not the council of the borough of Cambridge.

2. *Costs of promoting or opposing Parliamentary and other proceedings for benefit of inhabitants to be charged on borough and local funds except in certain cases.*] When in the judgment of a governing body in any district it is expedient for such governing body to promote or oppose any local and personal Bill or Bills in Parliament, or to prosecute or defend any legal proceedings necessary for the promotion or protection of the interests of the inhabitants of the district, it shall be lawful for such governing body to apply the borough fund, borough rate, or other the public funds or rates under the control of such governing body to the payment of the costs and expenses attending the same; and when there are several funds or rates under the control of the governing body, such governing body shall determine out of which fund or funds, rate or rates, such expense shall be payable, and in what proportions: Provided that nothing in this Act contained shall authorise any governing body to promote any Bill in Parliament for the establishment of any gas or water works to compete with any existing gas or water company established under any Act of Parliament: Provided that no powers contained in this clause shall apply in any case where the promotion of or opposition to a Bill by a governing body has been decided by a Committee of either House of Parliament to be unreasonable or vexatious.

3. *No payment to member of governing body to be so charged.*] No payment to any member of a governing body for acting as counsel or agent in promoting or opposing any such Bill shall be charged as aforesaid.

4. *Costs of promoting or opposing Bills to require sanction of special meetings.*] No expense in relation to promoting or opposing any Bill or Bills in Parliament shall be charged as aforesaid unless incurred in pursuance of a resolution of an absolute majority of the whole number of the governing body at a meeting of the governing body, after ten clear days notice by public advertisement of such meeting and of the purpose thereof in some local newspaper published or circulating in the district, such notice to be in addition to the ordinary notices required for summoning such meeting, nor unless such resolution shall have been published twice in some newspaper or newspapers circulating in the district, and shall have received, in respect of matters within the jurisdiction of the Local Government Board, the approval of such Board, and in respect of other matters, the approval of one of Her Majesty's Secretaries of State, and in case of the promotion of a Bill in Parliament no further expense shall be incurred or charged as aforesaid after the deposit of the Bill, unless the propriety of such promotion shall be confirmed by such absolute majority at a further special meeting to be held in pursuance of a similar notice not less than fourteen days after the deposit of the Bill in Parliament: Provided further, that no expense in promoting or opposing any Bill in Parliament shall be charged as aforesaid unless such promotion or opposition shall have had the consent of the owners and ratepayers of that district, to be expressed by resolution in the manner provided in the Local Government Act (1858) for the adoption of that Act.

5. *Proviso as to approval of Local Government Board, &c., to any such resolution.*] The approval of the Local Government Board or one of Her Majesty's Principal Secretaries of State, as the case may be, shall not be given to any such resolution as aforesaid, until the expiration of seven days after the second publication thereof, as provided by this Act, and in the meantime any ratepayer within the district of the governing body may give notice in writing to the Local Government Board or Secretary of State objecting to such approval.

6. *Costs to be examined.*] All costs, charges, and expenses incurred under the provisions of this Act shall before the same become chargeable, be examined and allowed by some person to be authorised by one of Her Majesty's Principal Secretaries of State or by the Local Government Board, as the case may be.

7. *Power to direct local inquiry.*] The Local Government Board, or one of Her Majesty's Principal Secretaries of State, shall have power to direct a local inquiry to be held upon any application under this Act, by any person or persons whom they may respectively nominate for the purpose, and to charge the costs and expenses of such local inquiry upon the governing body or the person by whom such application shall be made.

8. *Saving clause.*] Nothing in this Act shall extend or be construed to alter or affect any special provision which is or shall be contained in any other Act for the payment of the costs, charges, and expenses intended to be provided for by this Act, or to take away or diminish any rights or powers now possessed or enjoyed by any governing body, or which are or shall be vested in or exercisable by the inhabitants of any district under any general or special Act.

9. 10 & 11 *Vic. c. 34, s. 142, repealed.*] The one hundred and forty-second section of "The Towns Improvement Clauses Act, 1847," is hereby repealed so far as the same is inconsistent with the provisions of this Act.

10. *Act not to extend to Bills if object attainable by Provisional Order.*] The provisions of this Act shall not extend to applications for any Bill in Parliament for any object which would, for the time being, be attainable by Provisional Order.

11. *Extent of Act.*] This Act shall not extend or apply to Ireland or the city of London or the metropolitan area as defined by the Metropolitan Local Management Act, 1855.

CAP. XCII.

An Act to render unnecessary the general Appointment of Parish Constables. [10th August, 1872.]

Whereas the establishment of an efficient police in the counties of England and Wales has rendered the general appointment of parish constables unnecessary:

Be it therefore enacted, &c., as follows (that is to say,)

1. *Parish constables not to be appointed.*] After the twenty-fourth day of March next no parish constable shall be appointed except as herein provided.

2. *Provision for the appointment of parish constables when the quarter sessions deem it necessary.*] Whenever the Court of General or Quarter Sessions of any county shall by resolution determine that it is necessary with a view to the preservation of the peace or the proper discharge of public business therein, that one or more parish constables should be appointed for any parish within the jurisdiction of such court, such constable or constables shall until the said resolution shall have been rescinded, be and be continued to be appointed for such parish, according to the provisions of the law for the appointment of parish constables then in force.

3. *Appointment of the constable to be served upon the person, and his attendance and swearing at the sessions dispensed with.*] When the justices at the sessions held for this purpose shall have chosen the constable or constables for any parish they shall make out a warrant of appointment and cause it to be served upon each person so chosen, who shall be bound to act as a constable from the time when he shall be served with such warrant, unless he shall submit another person to the justices to be appointed as his substitute, and the justices shall make the appointment of the person so substituted for the time, and subject to the provisions contained in the Statute of the fifth and sixth Victoria, chapter one hundred and nine, and the twelfth and thirteenth sections of that statute shall be repealed, and the lists provided for by section fourteen shall be sent within fourteen days from the appointment of the constables so made by the justices at the said sessions.

4. *Paid constable may be appointed for a parish on application of the vestry.*] The vestry of any parish not included wholly or in part within a borough, after due notice, may at any time resolve that one or more parish constables shall be appointed for their parish, and in such resolution may fix the amount of salary to be paid to him or them, which salary shall be paid out of the poor rate of the said parish, and a copy of such resolution shall be delivered by one of the overseers or some other officer of the parish to

the justices of the petty sessional division in which the parish is situated, and such justices may appoint, by warrant under the hand and seal of two of them, some fit and competent person or persons willing to serve the office to be the constable or constables for the said parish, who shall hold his or their office until he or they shall resign or be dismissed for misconduct or incompetency by the justices of the said division, or the vestry shall determine to discontinue the appointment of a constable at the expiration of not less than six months from the day on which a copy of such resolution shall be delivered to the justices of the said division, and until the vestry shall come to such determination the justices shall renew the appointment upon the occurrence of any vacancy in the office.

Provided that if the vestry shall deem it right that the salary should be increased at any time when the office is not vacant, they may upon due notice pass a resolution to that effect, and a copy thereof shall be delivered by the overseer or other officer to the justices in petty sessions, and a copy thereof shall be endorsed on the warrant of appointment and be signed by two justices at such petty sessions.

5. *Two or more parishes may be united for the appointment.*] Two or more such parishes as aforesaid may unite for the appointment by the justices of a constable if the vestries thereof pass separate resolutions and agree upon the proportionate parts of the salary to be paid in respect of each parish, and in any such case the justices, or if the parishes be situated in two petty sessional divisions, the justices of each of such two petty sessional divisions may appoint the same person to be the constable for the parishes so united, to hold his office at one salary, payable where requisite out of the poor rate of the several parishes according to the proportions agreed upon, and shall certify the amount to be paid by each parish respectively by endorsement on the warrant of appointment.

6. *Tenure of the office of existing paid constables.*] Every paid constable appointed for any parish previous to the passing of this Act may continue to hold his office in like manner as if this Act had not been passed.

7. *Duties, powers, and immunities of parish constable. Fees and allowances.*] Every constable appointed under this Act shall be subject to the authority of the chief constable of the county, riding, or division in which the parish for which such constable may be appointed to act shall be situated, and all duties, powers, protections, immunities, liabilities, and incidents heretofore imposed upon or belonging to the office of a parish constable shall be imposed upon and belong to the constable to be so appointed and to the police constable who shall be called upon to act in any matter appertaining to that office by any competent authority, and all fees, charges, and allowances which would have been paid or granted by or under any statute or other legal provision to a parish constable, shall be paid or granted to the constable appointed under this Act or to such police constable, to be by them respectively applied in aid of the poor rate of the parish for which such constable shall have been appointed, or in the case of the police constable according to the rules prescribed for the regulation of the police force in such matter.

8. *Charges not to be made for parish business.*] No charge shall be made by nor any fee received by any paid constable appointed on the application of the vestry in respect of any service rendered by him to the parish or parishes for which he shall be appointed generally or to a parish officer of such parish or parishes in respect of matters belonging to the office of such officer.

9. *Fees to constables may be allowed when costs awarded against defendant.*] Where in any proceedings taken by or on behalf of any parish officer who is paid a salary for his services in respect of any matter connected with the duty of his office the justices shall award costs to be paid by the defendant or the party complained against, they may, if they see fit, allow, in settling the amount of such costs, such fees and allowances in respect of the services of the constable as shall appear to them to be just, and shall be in accordance with the scale of fees and allowances then in force in their county; and such fees and allowances shall be received by such constable, and shall be paid by him to the overseers of the parish to be applied in aid of the poor rate.

10. *Execution of process by constables appointed under this*

Act.] Every constable appointed under the authority of this Act shall have full power to execute any summons or warrant within any part of the county for which the justice issuing the same shall have jurisdiction, but shall not be compelled to serve any summons or to execute any warrant out of the parish or parishes for which he shall be appointed to act.

11. *Fees and allowances to constables remain in force till altered.*] The fees and allowances to constables settled by the justices at their general or quarter sessions with the consent of one of Her Majesty's Principal Secretaries of State shall continue to be in force until they shall be altered by the said justices with the like consent, which alteration shall take place from time to time as occasion may require.

12. *How fees and allowances to be paid and payments enforced.*] Where any fee or allowance is claimed by any constable in respect of any service rendered to an overseer, surveyor of the highways, or other officer of the parish, the same, if lawfully due, may be paid to him by such overseer, surveyor, or other officer without any order of justices, but if payment be refused, or cannot be obtained by him on request, he may apply to the justices in petty sessions assembled for an order upon such overseer, surveyor, or other officer, and the said justices, after summoning such officer, may make an order upon him for the payment of such fee or allowance, and their order in this behalf shall be enforceable if not obeyed, in manner directed by the Summary Jurisdiction Act, 1848, as orders of justices for the payment of money; and if any overseer, surveyor, or other officer pay money in obedience to such order, the payment shall not be disallowed by any auditor or other authority competent to allow or disallow the accounts of such officer on any ground whatsoever.

13. *Repeal of Statutes.*] The following statutes shall from and after the said twenty-fourth day of March next be repealed, except in respect of any matter then arisen or pending out of or in relation to some provision thereof; (that is to say.)

The 13 & 14 of Ch. 2 c. 12., sections 15, 16, 17, and 18.

The 18 of Geo. 3, c. 19, s. 4.

And so much of the statute 2 William and Mary, c. 5, as requires any sheriff or under-sheriff or constable to be aiding and assisting at any distress for rent, or to swear any appraiser thereat, shall be repealed, and no oath shall after the day aforesaid be required from such appraiser.

14. *Exemptions, and interpretation of words.*] Nothing herein contained shall apply to special constables appointed under the statutes relating thereto, nor to any officer appointed at a court leet or torn for any purpose other than the preservation of the peace in any parish.

The term "county" shall extend to every riding or division of a county for which there is a separate court of general or quarter sessions.

The term "parish" among other meanings applicable to it shall signify a place for which a separate poor rate is or can be made or for which a separate overseer is or can be appointed.

The term "constable" shall include every petty constable, headborough, boraholder, tithingman, or other peace officer of the like description authorised or required to be appointed for any parish at the date of this Act.

The term "vestry" shall include all meetings of the inhabitants of any township or other place for which a separate overseer is appointed, to be summoned in the like manner and with the like notice as the ordinary meetings of a vestry.

The word "overseers" shall include churchwardens so far as they are authorised by law to act as overseers.

15. *Title of the Act.*] The Act may be cited as "The Parish Constables Act, 1872."

CAP. XCIII.

An Act for consolidating, with Amendments, the Acts relating to Pawnbrokers in Great Britain.

[10th August, 1872.]

CAP. XCIV.

An Act for Regulating the Sale of Intoxicating Liquors.

[10th August, 1872.]

CAP. XCV.

An Act to enlarge the powers of the Epping Forest Commissioners; and for other purposes.

[10th August, 1872.]

CAP. XCVI.

An Act to amend the Ecclesiastical Dilapidations Act, 1871; and for other purposes. [10th August, 1872.]

Be it enacted &c., as follows:

1. *Alteration of the length of mortgage term, and of the conditions of repayment of advances.*] This Act and "The Ecclesiastical Dilapidations Act, 1871," shall be read and construed together as one Act; and as to loans made under the provisions thereof, and also as to loans made under the provisions of the Acts specified in the second schedule of the said Act, it shall be lawful for the governors, with the stipulated consent of the bishop and patron, if they think fit to vary the length of the mortgage term for all new mortgages by making the term for the repayment of the loan shorter than is directed by the said Acts; and the governors, with the stipulated consent of the bishop and patron, are also authorised, if they think fit, to lend any sum that may be required for the purposes of, and they may also from time to time vary the form of the deed of security prescribed by, the Acts specified in the said recited schedule; and when the powers of these Acts are concurrently exercised, as prescribed by the seventy-third section of "The Ecclesiastical Dilapidations Act, 1871," the mortgagors shall only be required to execute one mortgage deed: Provided always, that it shall not be lawful for the governors to allow a benefice to be mortgaged to them for any or all of the purposes of any of these Acts to an amount exceeding in the whole three years net income of such benefice.

And in fixing the terms of future advances the governors may either lend moneys, to be repaid by annual instalments with interest on the principal money, or by a fixed sum or sums payable yearly in the form of a terminable annuity, but the rate of interest to be used in all computations shall not exceed four pounds per centum per annum. Upon the appointment of a new incumbent the mortgage term of repayment may be extended in respect of the balance of any loan, if the governors shall so direct, to be certified by a memorandum under the hand of their secretary, endorsed upon or attached to the deed and counterpart, such extension to be kept within the limits prescribed by the said recited Acts.

2. *Power to change the day of the date of annual payments.*] It shall be lawful for the governors, with the consent in writing, under the hand only, of the mortgagor or of his successor, to change the day of the date of the annual payments payable to them under any mortgage deed, provided that they do not thereby lengthen the period for which the benefice or preferment is encumbered.

3. *Regulation of fees to bishops, secretaries, registrars, and other officers.*] It shall be lawful for the Archbishop of Canterbury, the Lord High Chancellor, and the Archbishop of York, with the assistance of the two vicars general of the said two archbishops, with the consent of the Lords Commissioners of her Majesty's Treasury, at any time during the year one thousand eight hundred and seventy-three, to review the rates of the fees of the bishops secretaries and registrars, and the rates of surveyors charges for work done in pursuance of "The Ecclesiastical Dilapidations Act, 1871," as fixed or authorised to have been fixed under the tenth section of the same Act for the various dioceses throughout England and Wales; and it shall be lawful for the Archbishop of Canterbury, the Lord Chancellor, and the Archbishop of York, and the other aforesaid constituted authorities, to ordain and establish in lieu thereof one uniform table of fees and charges to be binding throughout the whole of England and Wales, and shall have power from time to time to amend or alter such table of fees and charges; and before the fees and charges contained in such table or such amended table shall be demanded, taken or received by any of the said persons, such table or amended table shall be submitted to her Majesty's Privy Council, and shall be dealt with in all respects in accordance with the directions contained in the one hundred and thirty-first section of the Act of Parliament of first and second Victoria, chapter one hundred and six, and the first section of the Act of Parliament of thirtieth and thirty-first Victoria, chapter one hundred and thirty-five, so far as the same are applicable.

CAP. XCVII.

An Act for further promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary.
[10th August, 1872.]

CAP. XCVIII.

An Act for promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary in Ireland.
[10th August, 1872.]

INDEX TO THE PUBLIC GENERAL STATUTES.

35 & 36 VICTORIÆ.

The figures at the ends of the lines denote the pages where the Acts are set out at length in the PUBLIC STATUTES of the SOLICITORS' JOURNAL.

ACT OF UNIFORMITY AMENDMENT:

For the Amendment of the Act of Uniformity. Ch. 35.
Definition of terms, Sect. 1.
Use of shortened form of Morning and Evening Prayer on certain days, 2.
Special service may be used for special occasions, 3.
Additional service may be used on Sundays and holy-days, 4.
As to the separation of services, 5.
Sermon may be preached without previous service, 6.
Saving of 34 & 35 Vict. c. 26, s. 6 (University Tests Act), 7.
Schedule to be construed as part of Act, 8.
Short title, 9.
Schedule of shortened forms of service.

ADMINISTRATION OF JUSTICE. See—

Affidavits.	Juries (Ireland).
Attorneys and Solicitors.	Law Officers' Fees.
Bankruptcy (Ireland).	Local Courts of Record.
Bastardy Laws Amendment.	Masters and Workmen.
Chancery. Court of.	Queen's Bench (Ireland).
Debtors (Ireland).	Reformatory and Industrial Schools.
Grand Juries (Middlesex).	Review of Justices Decisions.
Infant Life Protection.	
Judges' Salaries.	

ADULTERATION OF FOOD, &c.:

To amend the Law for the prevention of Adulteration of Food and Drink and of Drugs. Ch. 74.
Penalty on persons adulterating articles of food or drink or drugs, and on persons selling articles of food or drink or drugs which they know to have been adulterated, Sects. 1, 2.
Vendor to declare mixture at time of sale, 3.
Pharmacy Act, 1868 (31 & 32 Vict. c. 121), and 23 & 24 Vict. c. 84, incorporated with this Act; proviso as to Ireland, 4.
Appointment of analysts, 5.
Inspectors of nuisances, &c., may submit articles to be analyzed, 6.
Analysts to make reports quarterly to local authorities, 7.
Proof of identity of articles submitted to analysts, 8.
Purchaser of articles of food, &c., may require same to be analyzed, 9.
Articles of food, &c., ordered for analysis to be received, and samples retained by inspectors, 10.
As to expenses of executing Act, 11.
Proceedings by indictment, &c., not to be affected, 12.

AFFIDAVITS:

To provide for the appointment of Commissioners in the Channel Islands, and also in the City of Dublin and its vicinity, to take Affidavits to be used in the Superior Courts of Common Law and other Courts in Ireland. Ch. 75.
Court of Queen's Bench in Ireland to appoint Commissioners for the Channel Islands, Sect. 1.
Affidavits to be used in superior courts of common law in Ireland, also in Landed Estates Court, Court of Probate, and Court of Bankruptcy, and also in registration of judgments, 2—4.

AFFIDAVITS—Continued.

Persons swearing falsely may be indicted for perjury in Dublin, 5.
Court of Queen's Bench in Ireland may appoint Commissioners to administer oaths within ten miles of Dublin, 6.
Style of Commissioners, with power to them to take fees, &c., 7.
Commissioners to have same powers as former Commissioners, 8.
Affirmation to be equivalent to oath, 9.

ALTERATION OF BOUNDARIES OF DIOCESES:

For the Alteration of Boundaries of Dioceses. Ch. 14.
Transfer of patronage, &c., of Appleton Wiske annulled, and district to be included in diocese of Ripon, Sects. 1, 2.
New cures, upon their formation, to form part of one diocese only, 3.

APPROPRIATION OF SUPPLIES:

To apply a sum out of the Consolidated Fund to the service of the year ending 31st March, 1873, and to appropriate the supplies granted in this Session of Parliament. Ch. 87.

ARBITRATION (MASTERS AND WORKMEN):

To make further provision for Arbitration between Masters and Workmen. Ch. 46. page 34
Preamble recites 5 Geo. 4, c. 96.
Certain provisions to have effect as to agreements under this Act, Sect. 1.
Short title, 2.

ATTORNEYS AND SOLICITORS:

To amend the Attorneys and Solicitors Act, 1860 (23 & 24 Vict. 127), by extending to members of the Faculty of Advocates in Scotland the privileges conferred therein on Writers to the Signet, Solicitors before the Supreme Courts, and Procurators before the Sheriff Courts. Ch. 81.

Power to admit members of Faculty of Advocates to be Attorneys in England, Sect. 1.
Short title, 2.

BALLOT (PARLIAMENTARY AND MUNICIPAL ELECTIONS):

To amend the Law relating to Procedure at Parliamentary and Municipal Elections. Ch. 33. page 80

I.—Parliamentary Elections.

Nomination of candidates to be in writing, Sect. 1.
Poll at elections to be by ballot, 2.
Offences in respect of nomination papers, ballot papers, and ballot boxes, 3.
Infringement of secrecy, 4.
Division of counties and boroughs into polling districts, 5.
Use of school and public room for poll, 6.
Conclusiveness of register of voters, 7.
General powers and duties of returning officer, 8.
Keeping of order in polling station, 9.
Powers of presiding officer and administration of oath, &c., 10.
Liabilities of officers for misconduct, 11.
Prohibition of disclosure of vote, 12.
As to non-compliance with rules in Schedule, 13.

BALLOT (PARLIAMENTARY & C. ELECTIONS)—Continued.

Use of municipal ballot boxes, &c., for parliamentary election, and vice versa, 14.

Construction of Act with enactments in force relating to the representation of the people and the registration of voters, 15.

As to application of this part of Act to Scotland, 16.
Act to application of this part of Act to Ireland, and provisions as to polling districts and places; and amendment of law as to voting in wards in certain boroughs, 17, 18, 19.

II.—Municipal Elections.

Application to municipal election of enactments relating to the poll at parliamentary elections, 20.
Abolition of ward assessors, 21.

Applications of this part of Act to Scotland, 22.
Application of this part of Act to Ireland, 23.

III.—Personation.

Definition and punishment of personation, 24.
Vote to be struck off for bribery, treating or undue influence, 25.

Application of this part of Act to Scotland, 26.
Construction of this part of Act with "The Parliamentary Elections Act, 1868," 27.

IV.—Miscellaneous.

Schedules to be construed as part of Act, 28.

Definitions:—"Municipal borough;" "Municipal Corporation Acts;" "Municipal election," 29.

Act to apply to any parliamentary or municipal election which may be held after the passing thereof, 30.
Nothing in this Act (except Part III.) to apply to any election for a university, 31.

Repeal of Acts specified in the fourth, fifth, and sixth schedules, 32.

Short title:—"The Ballot Act, 1872"; to continue in force till 31st Dec. 1880, 33.

SCHEDULES:—

First Schedule: Rules for Parliamentary and Municipal elections. Second Schedule: Forms of writs, notices, ballot papers, &c.

Third Schedule: Provisions of Registration Acts referred to in Part III. of Act.

Fourth Schedule: Acts and parts of Acts repealed relating to England.

Fifth Schedule: Acts and parts of Acts repealed relating to Scotland.

Sixth Schedule: Acts and parts of Acts repealed relating to Ireland.

BANK OF ENGLAND:

To amend the Law relating to the Election of Directors of the Bank of England. Ch. 34.

Not above seven eighths of the old directors to be chosen (amending 8 & 9 W. 3, c. 20, s. 52), Sect. 1.

Byelaws for execution of this Act to be made, 2.
Short title, 3.

BANK OF IRELAND:

To amend the Charter under which the Governor and Company of the Bank of Ireland is incorporated. Ch. 5.

Short title, Sect. 1.

Number of directors of Bank of Ireland may be reduced from fifteen to thirteen or to eleven, 2.

Retiring directors eligible for re-election, 3.

Quorum of meeting of directors, 4.

Byelaws of corporation may be made to conform with provisions of this Act, 5.

Charter not to be affected except as specially varied or altered by this Act, 6.

Expenses of Act, 7.

BANKRUPTCY (IRELAND):

For the Amendment of the Law of Bankruptcy in Ireland. Ch. 58.

Preliminary.

Construction, short title, and limits of Act, Commencement of Act; Interpretation of terms, Sects. 1—4.

Repeal of portions of 20 & 21 Vict. c. 60, as in Schedule (A.), 5.

Court of Bankruptcy and Officers thereof.

Change in title of court, 6.

Judges may sit at chambers, 7.

BANKRUPTCY (IRELAND)—Continued.

Powers of Court to delegate authority, 8.

Change in title of assistant registrars, 9.

Increase of salaries of chief registrar and registrars, &c., 10.

Change in title of deputy assistant registrar, 11.

Change of tenure by which offices held, 12.

Superannuation of officers appointed after passing of Acts 30 & 31 Vict. c. 44, and 30 & 31 Vict. c. 129, 13.

Salary of deputy to be deducted from chief's salary, 14.
Additional persons may be appointed to take affidavits, 15.

Scale of fees, 16.

Proceedings in Bankruptcy.

Abolition of distinction between traders and non-traders, 17.

Debtor need not prove his estate over £50, 18.

Forms as to traders to be applicable to all debtors, 19.

Debt of petitioning creditor, 20.

Acts of bankruptcy defined, 21.

Debt of petitioning creditor of a non-trader must be contracted after the passing of this Act, 22.

Effect of adjudication against prisoner for debt, 23.

Mode of dealing with pauper prisoners for debt, 24.

Notice of declaration to be given in Gazette, 25.

Bankrupts protected from arrest in certain cases, 26, 27.

Adjudication in case of lunatic prisoners for debt, 28, 29.

Proceedings in relation to a debtor's summons, 30.

Partnerships, &c. registered not to be adjudged bankrupt, 31.

Insolvency.

Jurisdiction of chairmen of quarter sessions in insolvency discontinued, 32.

Winding-up pending insolvency business, 33, 34.

Recognizances of sureties extended, 35.

Records of court, 36.

Chief clerk, clerks, and officers in insolvency, 37.

Compensation to officers, 38.

Saving for right to superannuation allowances, &c., 39.

Persons having Privilege of Parliament.

Privilege of Parliament not to prevent adjudication in bankruptcy, 40.

Vacating of seat in House of Commons by person adjudged bankrupt, 41.

Certificate of bankruptcy to be given by the Court to the Speaker, and Speaker to issue new writ, 42, 43.

Provisions of 24 Geo. 3, sess. 2, c. 26, as to new writs, extended to case of bankruptcy, 44.

Proof of Debts.

Proof for debts payable by instalments, 45.

Proof in respect of unliquidated damages, 46.

Proof for premiums upon policies of insurance, 47.

Proof in respect of distinct contracts, 48.

Preferential debts, 49.

Power of Court in relation to Property.

Dispositions of estates tail under bankruptcies, 50.

Appropriation of portion of salary to creditors, 51.

Avoidance of voluntary settlements, 52.

Avoidance of fraudulent preferences, 53.

Proceeds of sale and seizure of goods, 54.

Transactions protected by 21 & 22 Vict. c. 60, to remain valid, 55.

Certificate of Conformity.

Certificate of conformity; its form and effect, 56—59.

Status of uncertificated bankrupt, 60.

Arrangement with Creditors and composition after Bankruptcy.

Composition after bankruptcy, 61.

Definition of "process," 62.

Secured creditor to value his security before voting, 63.

Certificate in arrangement cases to operate as a certificate of conformity, 64.

Re-vesting of property in arrangement cases, 65.

General Powers of the Court.

Power of the Court to decide all questions arising in any case of bankruptcy, &c., 66.

Extension of 34 & 35 Vict. c. 65 (Juries) to the Court and to the judges thereof, 67.

Power of Court to restrain suits, &c., 68.

BANKRUPTCY (IRELAND)—Continued.

Execution of warrant and enforcement of orders of Court, 69, 70.
Courts in Ireland, &c., to be auxiliary to other courts, &c., 71.
Commitment to prison and examination of persons in custody, and expenses of their removal, 72—74.
Power of Court to put purchaser into possession of lands, 75.
Corrupt agreements with creditors, 76.
Further application of interest on unclaimed dividend account, 77.

Absconding Debtors.

Arrest of debtor after service of summons, 78.
When arrest not valid, 79.
Security for debt given after arrest, 80.

Jurisdiction of Chairman of Quarter Sessions.

Court may refer cases to chairmen of quarter sessions who are to have same jurisdiction and powers as the Court, 81, 82.
Petition, &c., to be returned by the clerk of the peace to the Court, 83.
Clerk of peace to transmit return of quarter sessions days, 84.
Appeals from decisions of chairman, 85.
Court to have jurisdiction before hearing any pending adjournment, 86.

Trustees.

Power of Court to summon general meeting to determine if bankrupt's estate is to be wound up by trustee; meeting of creditors and appointment of trustee, 87—90.
Real and personal estate of bankrupt to vest in trustee, 91.
Remuneration to official assignee for services before appointment of trustee, 92.
Conduct of bankrupt, 93.
Conduct of trustee, and appeal to Court, 94.
Regulations as to general meetings of creditors subsequent to first meeting, 95.
Trustee to keep books, 96.
Disclaimer as to onerous property, 97, 98.
Power of trustee to receive and decide on proof of debts, 99.
Power to allow bankrupt to manage property, 100.
Power of trustee to compromise, &c., 101, 102.
Trustee, if a solicitor, may be paid for his services, 103.
Trustee to pay moneys into bank, 104.
Proof of debts before trustee, 105.
Allowance to bankrupt for maintenance or service, 106.
Distribution of dividends, 107.
Provision for creditors residing at a distance, &c., 108.
Right of creditor who has not proved debt before declaration of a dividend, 109.
Final dividend, 110.
Bankrupt entitled to surplus, 111.
No action for dividend, 112.
Close of Bankruptcy, release of trustee, and as to unclaimed dividends, 113—116.
Certified statement of accounts to be forwarded to Court, 117.
Return of accounts by trustee, 118, 119.
Powers of officer to whom accounts are transmitted, 120.
Regulations as to trustees, &c., 121.
Court to have jurisdiction notwithstanding order to wind up by trustee, &c., 122.

Evidence.

Penalty on persons giving false evidence, 123.

General Orders.

General orders to be made on or before 1st Jan. 1873, 124.

Schedules:

- A.—Sections repealed of 20 & 21 Vict. c. 60.
- B.—Certificate of conformity.
- C.—Certificate to arranging debtor.

— See also Debtors (Ireland).

BAPTISMAL FEES:

To render it unlawful to demand any Fee or Reward for the Celebration of the Sacrament of Baptism, or the Registry thereof. Ch. 36

page 23

***BAPTISMAL FEES—Continued.**

After passing of Act fee for celebration of baptism or for the registry thereof not to be demanded: Proviso as to present holder of office, Sect. 1.

BASSES LIGHT (CEYLON):

For making better provision for the erection of Light-houses on the Great Basses Rock, and on the Little Basses Rock, in the colony of Ceylon. Ch. 55.

BASTARDY LAWS AMENDMENT:

To amend the Bastardy Laws. Ch. 65. page 42
Short title, Sect. 1.
Repeal in part of Poor Law Amendment Acts, 7 & 8 Vict. c. 101, and 31 & 32 Vict. c. 122, 2.
Putative father to be summoned to petty sessions on application of mother of bastard child; and justices may make order for maintenance, education, &c., of bastard child, and enforce the same by distress and commitment, 3—6.
Payments for bastard children, 7.
Guardians may recover cost of relief of bastard child in certain cases, 8.
Appeal to quarter sessions, 9.
Act incorporated with 7 & 8 Vict. c. 10, 10.
Act not to extend to Scotland or Ireland, 11.

SCHEDULES.

BISHOPS RESIGNATION:

For continuing the Bishops Resignation Act, 1869 (32 & 33 Vict. c. 111). Ch. 40. page 27
Continuance of 32 & 33 Vict. c. 111, for three years from the end of the session of 1872, Sect. 1.

BOARD OF TRADE INQUIRIES:

For regulating inquiries by the Board of Trade. Ch. 18. page 5
Preamble recites Metropolis Water Act, 34 & 35 Vict. c. 113.
Inquiries instituted or held by Board of Trade may be conducted by persons authorised by the President or one of the Secretaries of the Board, Sect. 1.

BOUNDARIES OF COUNTIES (IRELAND):

To amend the Law relating to the defining of Boundaries of Counties and other Divisions and Denominations of Land in Ireland. Ch. 48.
Short title, Sect. 1.
Orders made under Acts mentioned in Schedule, or this Act, to be taken as valid, 2.
Copy of order to be good evidence, and copy of map to be evidence of original, 3, 4.
Power to Lord Lieutenant to order separation and re-annexation of parts of baronies, &c., and such orders to be binding, 5.
Interpretation of "Lord Lieutenant," 6.
SCHEDULE of Acts amended: viz, 17 & 18 Vict. c. 17, 20 & 21 Vict. c. 45, 22 & 23 Vict. c. 8, and 34 & 35 Vict. c. 106.

CATTLE DISEASE (IRELAND) ACTS AMENDMENT:

To amend the Cattle Disease (Ireland) Act Amendment Act, 1870 (33 & 34 Vict. c. 36). Ch. 46.
Expenses of Veterinary Department to be fixed by Lord Lieutenant with approval of Treasury, Sect. 1.
Short title, 2.

CHAIN CABLES AND ANCHORS:

To suspend the compulsory Operation of the Chain Cables and Anchors Act, 1871 (34 & 35 Vict. c. 401). Ch. 30.
Chain Cables and Anchor Act, 1871 (34 & 35 Vict. c. 101), to commence on 1st January, 1873, and the Act of 1864 (27 & 28 Vict. c. 27) to continue in force until that date, Sect. 1.

CHANCERY, COURT OF:

To abolish the office of Accountant General of the High Court of Chancery in England, and to amend the law respecting the investment of money paid into that Court and the security and management of the moneys and effects of the suitors thereof. Ch. 44. page 29
Short title, commencement of Act, and definitions of terms, Sects. 1—3.
Abolition of office of Accountant General of the Court of Chancery, and performance of duties by Paymaster General, 4.
Liability of Consolidated Fund for default of Paymaster General, 5.
Construction of Acts, &c., referring to Accountant General, 6.
Framing of orders, 7.
Office of Paymaster General for Chancery business, 8.

CHANCERY, COURT OF—Continued.

- Vesting of property in Paymaster General for time being, 9.
- Transfer of securities and receipt of dividends, 10.
- Application of 16 & 17 Vict. c. 59 to cheques, &c., of Paymaster General, 11.
- Forgery of signature of Paymaster General or his deputy, 12.
- Indemnity to Bank of England, 13.
- Establishment of suitors deposit account, 14.
- Saving for investment made under order of court, 15.
- Conversion of stock and transfer of value thereof to deposit account, 16.
- Application of the money placed in the hands of Commissioners for Reduction of the National Debt, 17.
- Rules for regulating proceedings, 18.
- General orders and rules to be laid before Parliament, 19.
- Accounts, and audit thereof, 20.
- Transfer of buildings, 21.
- Pension to present Accountant General, 22.
- Existing officers of Accountant General to hold office, 23.
- Transfer of securities to Paymaster General, and alteration of accounts at Bank of England, &c., 24.
- Provision as to certain slave compensation funds standing in the name of the Accountant General, 25.
- Repeal of Acts as in Schedules, 26.

SCHEDULES.**CHARITABLE LOAN SOCIETIES (IRELAND):**

To amend the Laws for the Regulation of Charitable Loan Societies in Ireland, Ch. 17.

Short title, Sect. 1.

Price of forms of Promissory Note supplied to Loan Society by the Loan Fund Board under Section 46 of 6 & 7 Vict. c. 91, to be 2d. instead of 1d., 2.

CHARITABLE TRUSTEES INCORPORATION:

To facilitate the Incorporation of Trustees of Charities for Religious, Educational, Literary, Scientific and Public Charitable Purposes, and the Enrolment of certain Charitable Trusts Deeds, Ch. 24. page 6—

Upon application of trustees of any charity, Commissioners may grant certificate of registration as a corporate body, Sect. 1.

Estate to vest in body corporate, 2.

Particulars respecting application, 3.

Nomination of trustees, and filling up vacancies, 4.

Liability of trustees and others, notwithstanding incorporation, 5.

Certificate to be evidence of compliance with requisitions, 6.

Commissioners to keep record of applications for certificates, &c., and charge fees for inspection, 7.

Enforcement of orders and directions of Commissioners, 8.

Applications and certificates to be stamped, 9.

Gifts to charity before incorporation to have same effect afterwards, 10.

Contracts not under seal to be binding in certain cases, 11.

Payments on transfers in reliance on corporate seal protected, 12.

Enrolment where deeds have been lost or not duly enrolled, 13.

Definition of terms "Public Charitable Purposes," "Trustees," 14.

Short title, 15.

SCHEDULE.**CHURCH SEATS:**

To provide for free Use of Seats in certain Churches, Ch. 49.

Short title, Sect. 1.

Ecclesiastical Commissioners may accept a church site under a grant in which it is declared that pews or seats shall not be let, 2.

Securing stipend to incumbent when seats are wholly or partially free, 3.

COAL MINES REGULATION:

To consolidate and amend the Acts relating to the regulation of Coal Mines and certain other Mines, Ch. 76.

COAL MINES REGULATION—Continued.

Short title, commencement, and application of Act, Sects. 1—3.

Employment of women and children and boys in mines, 4, 5.

Hours of employment of boys and male young person in mines, 6.

Regulations as to employment of boys and male young persons, and regulations as to education with respect to boys, 7, 8.

On application of teacher, employer to pay sum for schooling of boy and deduct it from wages, 9.

Inspector may disqualify for granting certificates any teacher who is unfit, 10.

Penalty on parents, &c., for non-attendance of children at school, 11.

As to employment of women, young persons, and children above ground in connexion with mines, 12.

Register to be kept by owner, &c., of boys and male young persons employed in mines, 13.

As to employment of young persons under 18 about engines, 14.

Penalty for employment of persons in contravention of provisions of this Act, 15.

Prohibition of payment of wages at public houses, &c., 16.

As to payment of persons employed in mines by weight, 17.

Appointment and removal of check weigher on part of men, 18.

Application of Weights and Measures Act to weights used in mines, &c., 19.

Prohibition of single shafts, 20.

Agreements in contravention of this Act illegal, 21.

Exceptions from provisions of this Act as to single shafts, 22, 23.

Exemption of certain mines and shafts and extension of time for other mines, 24.

Division of mine into parts, 25.

Appointment of certificated manager to mine, 26.

Appointment of examiners for granting certificates of competency to managers, 27.

Constitution and powers of board for appointing examiners, 28.

Regulations by Secretary of State as to examinations, 29.

Grant of certificates to applicants on passing examination, 30.

Grant of certificates of service to existing managers, 31.

Inquiry into competency of manager, and cancellation of certificate in case of unfitness, 32, 33.

Cancellation of certificate to be recorded, but restoration thereof may be had through Secretary of State in certain cases, 34.

Copy of certificate may be obtained in case of loss, 35.

Expenses and fees with respect to certificates, &c., how to be defrayed, 36.

Punishment for forgery or false declaration as to certificate, 37.

Returns by owners, agents, or managers of mine, 38.

Notice of accidents in mines, 39.

Notice of opening and abandonment of mine, 40.

Fencing of abandoned mine, 41.

Plans of abandoned mines to be sent to Secretary of State, 42.

Appointment, power, &c., of inspectors of mines, 43—45.

Notice by inspectors of causes of danger not provided for by the rules, 46.

Plans of mines to be kept by owner, &c., 47.

Inspector to make an annual report, and special reports as director, 48.

Provisions as to arbitrations, 49.

Provisions as to coroners inquests on deaths from accidents in mines, 50.

General rules to be observed in mines, 51.

Special rules to be observed in mines, 52—59.

Penalty for offences against Act, 60.

Imprisonment for wilful neglect endangering life or limb, 61.

Summary proceedings for offences, 62—65.

COAL MINES REGULATION—Continued.

- Persons not to be punished twice for the same offence, 66.
- Owner of mine, &c., not to act as justice, &c. in proceedings under this Act, 67.
- Application of penalties, 68.
- Return as in Schedule to be sent to inspector of district, 69.
- As to question whether a mine is a mine under this Act, 70.
- Notices may be served by post, 71.
- Interpretation of terms, 72.
- Application of Act to Ireland, 73.
- Existing inspectors to continue to act, 74.
- Continuance of existing special rules, 75.
- Repeal of Enactments as in Schedule, 76.

SCHEDULES.

COLONIAL GOVERNORS PENSIONS :

- To amend the Act 28 & 29 Vict. c. 113, intituled "An Act to authorize the Payment of Retiring Pensions to Colonial Governors." Ch. 29.
- Short title and construction of Act, Sects. 1, 2.
- Power to grant an increase of reduced rate of pension as specified in schedule, 3.

COLONIES. For Acts relating specially to the Colonies, see—
Basses Lights (Ceylon). Kidnapping.
Colonial Governors Pensions. West Indies.

CONSOLIDATED FUND :

- To apply the sum of £5,411,099 3s. 3d. out of the Consolidated Fund for the service of the Years ending 31st March, 1871, 1872, and 1873. Ch. 1.
- To apply the sum of £6,000,000 out of the Consolidated Fund to the service of the year ending 31st March, 1873. Ch. 11.
- To apply the sum of £8,000,000 out of the Consolidated Fund to the service of the year ending 31st March, 1873. Ch. 37.
- To apply a sum out of the Consolidated Fund to the service of the year ending 31st March, 1873, and to appropriate the Supplies granted in this Session of Parliament. Ch. 87.

CORRUPT PRACTICES (MUNICIPAL ELECTIONS) :

- For the better prevention of Corrupt Practices at Municipal Elections, and for establishing a Tribunal for the trial of the Validity of such Elections. Ch. 60

page 36

Preliminary.

- Short title and definitions, Sects. 1, 2.
- I.—*Corrupt Practices at Municipal Elections.*
- What to be deemed corrupt practices at municipal elections, 3.
- Disqualification of candidates personally guilty of corrupt practices, 4.
- Avoidance of election for corrupt practices by agents and for offences against this Act, 5, 6.
- Prohibition of paid canvassers and of payment for conveyance of voters, 7, 8.
- Prosecutions for corrupt practices, 9.
- Provisions for striking off votes, 10.
- As to alleged personation, 11.

II.—*Election Petitions.*

- Municipal elections may be questioned by petition, 12.
- As to presentation of petition, 13.
- Constitution of election court, and trial of petitions, 14—16.
- Withdrawal of petitions, 17, 18.
- Costs on petitions, 19.
- Reception of and attendance on the court, 20.
- Jurisdiction and general rules, 21.

III.—*Miscellaneous Provisions.*

- Expenses of the court, 22.
- Acts done pending a petition not to be invalidated, 33.
- Provisions as to elections in the room of persons unseated on petition, 24.
- Computation of time, 25.
- Prohibition of disclosure of vote, 26.
- Act not to apply to Scotland, 27.
- As to Application of Act to Ireland, 28.
- Repeal of enactments; viz., 5 & 6 Will. 4, c. 76, ss. 54 to 56, both inclusive; 22 Vict. c. 35, ss. 9 to 14, both inclusive, 3 & 4 Vict. c. 108, ss. 90, 91.

COUNTY BUILDINGS :

- To amend the Law respecting the borrowing of Money by County Authorities for County Buildings. Ch. 7.

page 3

- Preamble recites 7 Geo. 4, c. 63, also 7 Will. 4 and 1 Vict. c. 24, 2 & 3 Vict. c. 69, and 10 & 11 Vict. c. 28.
- Extension of time for repayment of loans under 7 Geo. 4, c. 63.
- Construction of Act and short title, 2, 3.

CUSTOMS AND INLAND REVENUE :

- To grant certain Duties of Customs and Inland Revenue, and to alter other Duties. Ch. 20.

- Short title, Sect. 1.
- Customs duties on tea continued until 1st August 1873, and customs duties on coffee and chicory reduced, 2.
- As to stamp duty on commissions granted by Commissioners of Customs, 3.
- Extension of 16 & 17 Vict. c. 107, s. 44, to articles of foreign manufacture purporting to be manufactured in the United Kingdom, 4.
- Excise duty on chicory reduced from 1st May, 1872, 5.
- Exemption of husbandry carts and horses used on Sunday, &c., from duty under 32 & 33 Vict. c. 14, 6.
- Amendment of 33 & 34 Vict. c. 97, as to bills of the Accountant General of the Navy, 7.
- Grant of duties of income tax, and provisions of Income Tax Acts to apply to duties hereby granted, 8, 9.
- As to assessment of income tax under Schedules (A.) and (B.), 10, 11.
- Exemption where income is under £100, and abatement where income is under £300, 12.
- Interpretation of "horse-dealer" as used in 32 & 33 Vict. c. 14, 13.

DEANS AND CANONS RESIGNATION.

- To provide for Resignation of Deans and Canons. Ch. 8.
- Short title and definitions, Sects. 1, 2.
- Provision for resignation of incapacitated deans and canons on application to bishop, 3, 4.
- Special provision as to dean or canon found by process of law to be of unsound mind, 5.
- As to expenses of an inquiry if directed by bishop, 6.
- Effect of vacancy in deanery or canonry on any annexed preferment, 7.
- Archbishop to act as bishop in certain cases, 8.

DEBTORS (IRELAND) :

- For the Abolition of Imprisonment for Debt in Ireland, and for the Punishment of fraudulent Debtors, and for other purposes relating thereto. Ch. 57.

Preliminary.

- Short title, extent, and commencement of Act, and interpretation of terms, Sects. 1—4.

I.—*Abolition of Imprisonment for future Debts.*

- Abolition of imprisonment for debt, with certain exceptions, 5.
- Saving of power of committal for small debts, 6.
- Abolition of arrest on mesne process, but power under certain circumstances to arrest defendant about to quit Ireland, 7.
- Saving for sequestration against property, 8.
- Saving for Bankruptcy Acts, 20 & 21 Vict. c. 60, and 35 & 36 Vict. c. 58, 9.
- Definition of terms in this part of Act, 10.

II.—*Punishment of Fraudulent Debtors.*

- Punishment of fraudulent debtors, 11.
- Penalty on debtors absconding with property, 12.
- Penalty on fraudulently obtaining credit, &c., 13.
- False claim, &c. a misdemeanour, 14.
- As to debts incurred by fraud, 15.
- Order by Court for prosecution on report of assignee or trustee, 16, 17.
- Application of Vexatious Indictments Act, 22 & 23 Vict. c. 17, to offences under this Act, 18.
- Form of indictment for offences under this Act, 19.
- Disqualification of mayors, &c., who have made arrangements or compositions with creditors, 20.
- As to justices of the peace becoming bankrupt or arranging with creditors, 21.
- Punishments under this Act cumulative, 22.

Oct. 19, 1872.

DEBTORS (IRELAND)—Continued.**III.—Warrants of Attorney, Cognovits, and Orders for Judgment.**

Warrants of attorney and cognovit actionem to be executed in presence of an attorney on behalf of the person, 23.

Warrant, &c., not formally executed invalid, 24.

Not to affect the custom of Foreign Attachment, 25.

IV.—Abolition of Imprisonment for past Debts.

On and after 1st August 1877 provisions of Part I. to apply to debts contracted before passing of Act, 26.

Discharge of persons in custody on 1st August 1877, 27.

— See also Bankruptcy (Ireland).

DIRECTORS OF BANK OF ENGLAND:

To amend the Law relating to the Election of Directors of the Bank of England, Ch. 31.

Not above seven eighths of the old Directors to be chosen (amending 8 & 9 W. 3, c. 20, s. 52), Sect. 1.

Byelaws to be made by General Court for execution of this Act, 2.

Short title, 3.

DRAINAGE AND IMPROVEMENT OF LANDS (IRELAND):

To amend the several Acts relating to the Drainage and Improvement of Lands in Ireland, Ch. 31.

Preamble recites 5 & 6 Vict. c. 89, 16 & 17 Vict. c. 130, 10 Vict. c. 32, and 26 & 27 Vict. c. 88.

Short title, Sect. 1.

Provisions in recited Acts as to increased rents for lands drained to apply to contracts of tenancy not in writing, 2.

Construction of recited Acts with this Act, 3.

ECCLESIASTICAL DILAPIDATIONS:

To amend the Ecclesiastical Dilapidations Act, 1871 (34 & 35 Vict. c. 43); and for other purposes, Ch. 96.

page 58

Alteration of the length of mortgage term, and of the conditions of repayment of advances, Sect. 1.

Power to change the day of the date of annual payments, 2.

Regulation of fees to bishops secretaries, registrars, and other officers, 3.

EDUCATION (SCOTLAND):

To amend and extend the provisions of the Law of Scotland on the subject of Education, Ch. 62.

ELEMENTARY EDUCATION:

To amend the Elementary Education Act, 1870. (33 & 34 Vict. c. 75.) Ch. 27.

page 8

Extending section 19 of 33 & 34 Vict. c. 75, to offices required by School Board for London; and extending sections 57 and 58 to expense incurred for such offices, Sect. 1, 2.

Definition and short title of Act, 3, 4.

To amend Paragraph Three of the Second Schedule of the Elementary Education Act, 1870 (33 & 34 Vict. c. 75.) Ch. 59.

Alteration of date in schedule 2 of 33 & 34 Vict. c. 75, as to elections, Sect. 1.

Short title, 2.

To authorise advances to the Public Works Loan Commissioners for enabling them to make Loans to School Boards in pursuance of the Elementary Education Act, 1870. Ch. 71.

page 44

See Public Works Loan Commissioners.

EPHING FOREST:

To enlarge the powers of the Epping Forest Commissioners; and for other purposes, Ch. 95.

Short title, Sect. 1.

Stay of pending proceedings, and prohibition of future proceedings, 2, 3.

Power for Commissioners to state a special case, 4.

Power to abate inclosures and protect herbage, 5.

Authentication of awards and instruments, 6.

Conduct of proceeding before Commissioners, 7.

EXPIRING LAWS CONTINUANCE:

To continue various expiring Laws, Ch. 88.

Short title, Sect. 1.

Continuance of Acts in schedule, 2.

FACTORIES (STEAM WHISTLES):

To regulate the use of Steam Whistles in certain Manufactories, Ch. 61.

page 41

Act not to apply to Scotland, Sect. 1.

FACTORIES (STEAM WHISTLES)—Continued.

Use of steam whistles and trumpets in manufactories prohibited, 2.

Definition of "sanitary authority," 3.

Legal procedure for offences, &c., 4.

GALASHIELS JURISDICTION:

To amend the Act, 30 & 31 Vict. c. 85, "to include the whole of the Burgh of Galashiels within the County, Sheriffdom, and Commissariat of Selkirk," Ch. 47.

The whole of Galashiels to be part of the county of Selkirk for the purposes of The Prisons (Scotland) Administration Act, 1860 (23 & 24 Vict. c. 105), Sect. 1.

Repeal of 30 & 31 Vict. c. 85, so far as inconsistent with this Act, 2.

GRAND JURIES (IRELAND):

To amend 16 & 17 Vict. c. 136, for enabling Grand Juries in Ireland to borrow money from private sources on the security of Presentment, and for transferring to counties certain works constructed wholly or in part with public money, Ch. 42.

The term "public work" in principal Act to include tolls, Sect. 1.

GRAND JURIES (MIDDLESEX):

To regulate the summoning of Grand Juries in Middlesex, Ch. 52.

page 36

Grand jury in Middlesex need not be summoned unless notice has been given of business to be brought before them, Sect. 1.

GREENWICH HOSPITAL:

For making further provisions respecting the application of the Revenues of Greenwich Hospital, Ch. 67.

INCOME TAX:

To abolish Poundage for the Collection of Income Tax in public Departments, Ch. 82.

Abolition of poundage on collection of income tax in public departments, Sect. 1.

Commencement and short title of Act, 2, 3.

— See also Customs and Inland Revenue.

INCUMBERED ESTATES (WEST INDIES):

To continue the Appointment and Jurisdiction of the Commissioners for the sale of Incumbered Estates in the West Indies, Ch. 9.

Office of Commissioners under 17 & 18 Vict. c. 117, continued, Sect. 1.

Restriction as to moneys provided by Parliament, 2.

Proviso as to lapse of powers of Commissioners, 3.

INFANT LIFE PROTECTION:

For the better Protection of Infant Life, Ch. 38.

page 25

Interpretation of Act, Sect. 1.

Houses of persons retaining or receiving for hire two or more infants for the purpose of nursing to be registered, 2.

Register of names and houses to be kept by local authority, 3, 4.

Persons whose names and houses are registered to keep a register of infants and to produce it when lawfully required, 5.

As to false representations, forgery of certificate, or falsifying register, 6.

Local authority may strike name and house off register for neglect, &c., 7.

Inquest to be held on infant dying in registered house, 8.

Punishment for offences against this Act, 9.

Expenses incurred in execution of Act to be paid out of local rate, 10.

Offence how to be prosecuted, 11.

Application of penalties recovered, 12.

Exceptions from provisions of Act, 13.

Act subject to certain provisions in its application to Scotland, 14.

Commencement and short title of Act, 15.

SCHEDULE.

IRELAND. For Acts relating specially to Ireland, see,—

Affidavits.	Irish Church Act Amend-
Bank of Ireland.	ment,
Bankruptcy.	Juries.
Boundaries of Counties.	Landlord and Tenant.
Cattle Disease.	Local Government Board.
Charitable Loan Societies.	Party Processions.
Debtors.	Public Parks.
Drainage and Improve-	Queen's Bench.
ment of Lands.	Statute Law Revision.
Grand Juries.	Union Officers Super-
	annuation.

IRISH CHURCH ACT AMENDMENT :

To amend The Irish Church Act, 1869 (32 & 33 Vict. c. 42), so far as respects a Vacancy in the office of Commissioner of Church Temporalities in Ireland. Ch. 13.

Vacancy in office of Third Commissioner not to be filled up, Sect. 1.

Appeals to be heard by two Commissioners and a judge, 2.

Short title and construction of Act, 3.

To amend The Irish Church Act, 1869 (32 & 33 Vict. c. 42). Ch. 90.

Short title and interpretation, Sects. 1, 2.

Extension of section 16 of Irish Church Act, 1869, to the commutation of annuities payable to diocesan schoolmasters, 3.

Power to commute annuities payable under section 44 and 45 of Irish Church Act, 1869, 4.

Payment of moneys received for dilapidations to Church body in certain cases, 5.

Amount of tithe rentcharges to be fixed, 6.

Sale of tithe rentcharge to owners of land charged therewith, 7.

Purchase of surrender or assignment of subsisting lease of tithe rentcharge, 8.

Value of lease of rentcharge to be settled by arbitration in certain cases, 9.

Duty on sale of tithe rentcharge to be paid by commissioners, 10.

Deduction in respect of income tax in certain cases, 11.

Power to tenants under leases from ecclesiastical corporations aggregate to apply for perpetuities, 12.

Extension of provision of section 52 of Irish Church Act, 1869, as to security for purchase money, 13.

Commissioners may award superannuation allowance or compensation to present accountant in certain events, 14.

SCHEDULE.

ISLE OF MAN HARBOURS :

For amending the Law relating to the Harbours and Coasts of the Isle of Man. Ch. 23.

JUDGES SALARIES :

For amendment of the Law relating to the Salaries of Judges Ch. 51.

Short title, Sect. 1.

Commencement and payment of judicial salaries, 2.

Application of Act to existing and future judges, 3.

Definition of "judge", 4.

JURIES, IRELAND :

To amend the Juries Act, Ireland, 1871 (34 & 35 Vict. c. 63). Ch. 25.

Sections 10, 25, 52, and s. 16 in part, of The Juries Act, Ireland, 1871, repealed, Sect. 1.

Commencement of the Juries Act, Ireland, 1871, 2.

Issue of precept and return of lists for the county of the city of Dublin, 3.

In counties of cities or towns or boroughs, counting-house, office, &c., &c., to be stated as place of abode, 4.

Revising lists in cases where person's name appears on more than one general list of jurors or list of special jurors, 5.

As to jurors property qualification, 6.

Mode of preparing jurors' book, and summoning jurors to assizes at Nenagh and Clonmel in county of Tipperary, 7.

Jury summonses transmitted by post in county of Dublin, 8.

Construction of Act with recited Act, 9.

SCHEDULE.

— See also Grand Juries, Ireland.

JUSTICE, ADMINISTRATION OF. See—

Allidavits.

Attorneys and Solicitors.

Bankruptcy (Ireland).

Barstary Laws Amend-

ment.

Chancery, Court of.

Debtors (Ireland).

Grand Juries (Middlesex).

Infant Life Preservation.

Judges Salaries.

Juries (Ireland).

Law Officers Fees.

Local Courts of Record.

Masters and Workmen.

Queen's Bench (Ireland).

Reformatory and Indust-

trial Schools.

Review of Justices De-

cisions.

KENSINGTON STATION, &c., ACT, 1859 :

To enable the Commissioners of Her Majesty's Treasury to pay into High Court of Chancery in England certain moneys, being the amount paid to the Paymaster-General on account of Her Majesty's Treasury in respect of the non-completion of the railway authorised by "The Kensington Station and North and South London Junction Railway Act, 1859" (22 & 23 Vict. c. exxviii.) Ch. 80.

page 54

Short title and interpretation, Sects. 1, 2.

Power for liquidators to apply for warrant of abandonment, and for the Treasury to pay £5,760 into Court of Chancery, 3.

KIDNAPPING :

For the Prevention and Punishment of Criminal Outrages upon Natives of the Islands in the Pacific Ocean. Ch. 19.

LANDLORD AND TENANT, IRELAND :

To explain and amend The Landlord and Tenant, Ireland, Act, 1870 (33 & 34 Vict. c. 46), so far as relates to the Purchase by Tenants of their Holdings. Ch. 32.

Enactment of regulations with respect to the purchase by tenants of their holdings, Sect. 1.

In certain cases where advances made for purchase of a holding, notwithstanding foreclosure, Board may proceed to a sale, 2.

Short title and construction of Act, 3.

LAW OFFICERS FEES :

To make better Provision respecting certain Fees payable to the Law Officers of the Crown for England.

Ch. 70.

page 44

Certain fees payable to law officer or his clerk to be paid as Treasury may direct and carried to the Consolidated Fund, Sect. 1.

"Law officer" to mean the Attorney General and Solicitor General, 2.

Short title, 3.

LICENSING :

For regulating the Sale of Intoxicating Liquors. Ch. 94.

Short title and extent of Act, Sects. 1, 2.

Prohibition of sale of intoxicating liquors without license, 3.

Occupier of unlicensed premises liable for sale of liquor, 4.

Seller liable for drinking on premises contrary to license, 5.

Evasion of law as to drinking on premises contrary to license, 6.

Sale of spirits to children, 7.

Sale to be by standard measure, 8.

Penalty on internal communications between licensed premises and house of public resort, 9.

Penalty on illicit storing of liquor, 10.

Names of licensed persons to be affixed to premises, 11.

Penalty on persons found drunk ; on licensed persons

permitting drunkenness, or for keeping disorderly

house, or for permitting premises to be a brothel, or

for harbouring constable, or for permitting gaming,

12-17.

Power to exclude drunkards from licensed premises,

18.

Penalty on adulteration of intoxicating liquor, and

provisions in reference thereto, 19-22.

Power of justices to close licensed premises in case of

riot, 23.

Times of closing licensed premises, and provisions in

reference thereto, 24-29.

Convictions for offences under Act and forfeiture of

license for repeated convictions, 30-34.

Entry on premises by constables, 35.

Registers of licenses to be kept in licensing districts, 36.

Amendment of Law as to grant of licenses, transfer,

renewal, &c., 37-50.

Legal proceedings in respect of offences under Act,

51-59.

Miscellaneous provisions, 60-71.

Saving clauses and definitions, 72-74.

Repeal of Acts set forth in schedules, 75.

Application of certain of the preceding provisions of

this Act to Ireland with modifications, 76; 77.

Closing of premises at certain hours on Sunday,

Christmas Day, Good Friday, &c., 78.

Recovery and application of penalties, 79.

Oct. 19, 1872.

LICENSING—Continued.

- Repeal of section 4 of 34 & 35 Vict. c. 88, 80.
- Interpretation of "spirit grocer," "excise license," &c., as applying to Ireland, 81.
- No renewal of license to be granted to spirit grocers without certificate of justices, 82.
- Penalty on spirit grocer if liquor drunk on or near to the premises, 83, 84.
- Penalty on internal communications between premises of spirit grocer and house of public resort, 85.
- Limitation of hours during which spirit grocers may sell intoxicating liquors, 86.
- Justices and constables may enter premises of spirit grocer during prohibited hours, 87.
- Provisions as to repeated convictions to apply to spirit grocers, &c., 88.
- Application to Ireland of provisions as to legal proceedings, penalties, &c., 89.
- No license to be granted in Ireland to disqualified persons or for disqualified premises, 90.

SCHEDULES:

- First Schedule: Deleterious ingredients.
- Second Schedule: Enactments repealed.

LIFE ASSURANCE COMPANIES.

- To amend the Life Assurance Companies Act, 1870 and 1871 (33 & 34 Vict. c. 61 and 34 & 35 Vict. c. 58). Ch. 41.
- Deposit by Company in Court of Chancery, Sect. 1.
- Separation of life funds, 2.
- Deposit of statement and abstract required by section 10 of 33 & 34 Vict. c. 61, 3.
- Winding up of subsidiary company to be ancillary to winding up of principal company, 4.
- Valuation of annuities and policies, 5.
- Rules in First and Second Schedules to be rules of Court, 6.
- Regulation as to novations by policy holders, 7.
- Construction and short title of Act, 8.
- SCHEDULES: Rules for valuing annuity or policy, &c.

LOAN SOCIETIES (IRELAND):

- To amend the Laws for the Regulation of Charitable Loan Societies in Ireland. Ch. 17.
- Short title, Sect. 1.
- Price of forms of promissory notes supplied to loan society by the Loan Fund Board under section 46 of 6 & 7 Vict. c. 91 to be 2d. instead of 1d., 2.

LOCAL COURTS OF RECORD:

- To amend the Law relating to Borough and other Local Courts of Record. Ch. 86.
- Short title, Sect. 1.
- Her Majesty may direct certain enactments of 1 & 2 Will. 4, c. 58, and certain provisions set forth in schedule, to extend to any local Court of Record, &c., 2, 3.
- Two or more courts may be held at the same time, 4.
- Affidavits made before commissioner, &c., 5.
- Power to send writs of execution to bailiffs of county court, 6.
- Judge may appoint a deputy, 7.
- Proviso as to City of London Court, 8.
- SCHEDULE of provisions referred to.

LOCAL GOVERNMENT BOARD, IRELAND:

- For constituting a Local Government Board in Ireland; and vesting therein certain functions of the Lord Lieutenant, and Privy Council, and the Chief Secretary to the Lord Lieutenant, concerning the Public Health and Local Government, together with the powers and duties of the Commissioners for administering the Laws for the Relief of the Poor in Ireland. Ch. 69.
- Short title, Sect. 1.
- Establishment of Local Government Board for Ireland, and powers under certain Acts, as in schedule, transferred to such Board, 2.
- Constitution, &c., of Local Government Board, 3—5.
- Auditors, and annual report, 6, 7.
- Extension of powers given by section 6 of Local Government Act, Ireland 34 & 35 Vict. c. 109, to cases in which governing bodies incur expenses for permanent works, &c., 8.
- Amendment of Sanitary Act, 1866 (29 & 30 Vict. c. 90), as to expenses of sewer authority, 9.
- As to powers conferred by 34 & 35 Vict. c. 109 respecting markets and fairs, 10.

LOCAL GOVERNMENT BOARD (IRELAND)—Continued.

- Amendment of section 124 of 3 & 4 Vict. c. 108 as to lighting of boroughs, 11.
- Section 31 of 34 & 35 Vict. c. 109, as to audit of accounts, repealed, 12.

SCHEDULES.**MARINE MUTINY:**

- For the Regulation of Her Majesty's Royal Marine Forces while on shore. Ch. 4.

MARRIAGES (SOCIETY OF FRIENDS):

- To extend the provisions of the Acts relating to Marriages in England and Ireland, so far as they relate to Marriages according to the usages of the Society of Friends. Ch. 10.
- Preamble recites 6 & 7 Will. 4, c. 83, 7 & 8 Vict. c. 81, and 23 & 24 Vict. c. 18.
- Amendment of 23 & 24 Vict. c. 18, Sect. 1.

MASTERS AND WORKMEN:

- To make further provision for Arbitration between Masters and Workmen. Ch. 44. page 34
- Preamble recites 5 Geo. 4, c. 96.
- Certain provisions to have effect as to agreements under this Act, Sect. 1.
- Short title, 2.

MAYO, COUNTESS OF:

- To settle an annuity on the Countess of Mayo, in consideration of the eminent services of the late Earl of Mayo as Viceroy and Governor General of India. Ch. 56.
- An annuity of £1,000, in addition to that payable out of revenues of India, to be paid to the Honourable Blanche Julia Countess of Mayo, Sects. 1, 2.

MERCHANT SHIPPING AND PASSENGER ACTS AMENDMENT:

- To amend the Merchant Shipping Acts and the Passenger Acts. Ch. 73.
- Short title and commencement of Act, Sects. 1, 2.
- Transfer to Board of Trade of duties of Commissioners of Customs with respect to measurement of ships, 3.
- Transfer to Registrar General of Seamen of duties of Commissioners of Customs with respect to registry of ships, 4.
- Transfer to Board of Trade of powers and duties of Emigration Commissioners, 5.
- Extension of penalties for offences connected with applications for assistance in emigration, 6.
- Transfer to Board of Trade of certain powers of Secretary of State under Passengers Act, 7.
- Passenger steamers to be surveyed once in every year, according to 17 & 18 Vict. c. 104, 8.
- Trinity House may modify rule as to pilotage rates, 9.
- Alteration of payments made to Trinity House Pilotage Fund by Cinque Port pilots, 10.
- Pilotage authority may grant special sea licenses, 11.
- Fees and expenses in relation to testing of chain cables and anchors by Trinity House to be paid to and charged on mercantile marine fund, 12.
- Duties of surveyors, 13.
- Fees and salaries of surveyors and emigration officers, 14.
- Penalty on surveyor, &c., receiving gratuity, &c., for duties performed under this Act, 15.
- Owner or agent of home trade ships may enter into time agreements which need not expire half-yearly, 16.
- Her Majesty may accept offers of persons recommended by the Admiralty to serve as officers of the Royal Naval Reserve, 17.

METALLIFEROUS MINES REGULATION:

- To consolidate and amend the Law relating to Metalliferous Mines. Ch. 77.
- Short title, commencement and application of Act, Sects. 1—3.
- Employment of women and children in mines, and of male young persons in mines, 4, 5.
- Register to be kept by owner, &c., of boys and male young persons employed in mines, 6.
- As to employment of young persons under 18 in connexion with engines, 7.
- Penalty for employment of persons contrary to this Act, 8.
- Prohibition of payment of wages at public houses, &c., 9.
- Returns to be made by owners and agents of mine, 10.
- Notice of accidents in mines to be sent to inspector, 11.
- Notice of opening and abandonment of mine to be given to inspector, 12.

METALLIFEROUS MINES REGULATION—Continued.

- Fencing of abandoned mines, 13.
- Plans of abandoned mines to be sent to Secretary of State, 14.
- Appointment, powers, &c., of inspectors of mines, 15—17.
- Notice to be given by inspectors of causes of danger not provided for by the rules, 18.
- Plans of mines to be kept, 19.
- Inspector to make an annual report, and special report when directed, 20.
- Provisions as to arbitrations, 21.
- General rules to be observed in mines under this Act, 22, 23.
- Special rules, 24—30.
- Penalty for offences against Act, 31.
- Imprisonment for wilful neglect endangering life or limb, 32.
- Summary proceedings for offences, penalties, &c., 33—36.
- Persons not to be punished twice for the same offence, 37.
- Application of penalties, 38.
- As to question whether mine is a mine under this Act, 39.
- Notices may be served by post, 40.
- Interpretation of terms, 41.
- Application of Act to Scotland, 42.
- Application of Act to the Isle of Man, 43.
- Existing inspectors to continue to act, 44.
- Repeal of Acts as in schedule, 45.

METROPOLITAN TRAMWAYS :

- To enable the Board or Trade to dispense with certain provisions of the Tramways Act, 1870 (33 & 34 Vict. c. 78), in respect of certain Provisional Orders. Ch. 43.

MIDDLESEX GRAND JURIES :

- To regulate the summoning of Grand Juries in Middlesex. Ch. 52.
- Grand jury in Middlesex need not be summoned unless notice has been given of business to be brought before them, Sect. 1.

MILITARY CANAL :

- To amend The Royal Military Canal Act, 1867 (30 & 31 Vict. c. 140). Ch. 68.

MILITARY FORCES LOCALIZATION :

- To make provision for defraying the Expenses of building Barracks and otherwise providing for the Localization of the Military Forces. Ch. 68.

MILITARY MANŒUVRES :

- Troops to be assembled during the Autumn. Ch. 64.

MUNICIPAL CORPORATIONS, &c. :

- To authorise the application of Funds of Municipal Corporations and other governing bodies in certain cases. Ch. 91. page 56
- Interpretation of terms, Sect. 1.
- Costs of promoting or opposing Parliamentary and other proceedings for benefit of inhabitants to be a charge on borough and local funds, except in certain cases, 2.
- No payment to member of governing body acting as counsel or agent to be so charged, 3.
- Costs of promoting or opposing Bills to require sanction of special meetings, subject to approval of Local Government Board, &c., 4, 5.
- Costs, &c., to be examined, 6.
- Power to direct local inquiry, 7.
- Saving clause, 8.
- Repeal of section 142 of Towns Improvement Clauses Act, 1847, 9.
- Act not to extend to applications for Bills for any object attainable by Provisional Order, 10.
- Act not to apply to Ireland or to the Metropolis, 11.

MUTINY :

- For punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters. Ch. 3.
- Number of men to consist of 133,640, including those employed at depots of regiments serving in India, but exclusive of those actually serving in India.
- For the Regulation of Her Majesty's Royal Marine Forces while on shore. Ch. 4.

NATURALIZATION :

- For amending the Law in certain cases in relation of Naturalization. Ch. 39.

NATURALIZATION—Continued.

- Preamble recites Convention with United States of 13th May 1870, by which provision is made for the renunciation of nationality by citizens and subjects therein mentioned.

Short title, 1.

Confirmation of renunciation of nationality under the recited Convention, 2.

Saving as to the property of married women, 3.

PARISH CONSTABLES :

- To render unnecessary the general appointment of Parish Constables. Ch. 92. page 57
- After 24th March, 1873, parish constables not to be appointed, Sect. 1.
- Provision for the appointment of parish constables when the quarter sessions deem it necessary, 2, 3.
- Paid constable may be appointed for a parish on application of the vestry, and two or more parishes may be united for the appointment, 4, 5.
- Tenure of office of existing paid constables, 6.
- Duties, powers, and immunities of parish constables, 7.
- Charges not to be made for parish business, 8.
- Fees to constables may be allowed when costs awarded against defendant, 9.
- Execution of process by constables appointed under this Act, 10.
- Fees and allowances to constables, 11, 12.
- Repeal of certain enactments of 13 & 14 Ch. 2, c. 12, 18 Geo. 3, c. 19, and 2 W. & M. c. 5, 13.
- Interpretation and short title of Act, 14, 15.

PARKS, PUBLIC (IRELAND) :

- To amend the Public Parks (Ireland) Act, 1869 (32 & 33 Vict. c. 28). Ch. 6. page 4
- Short Title, Sect. 1.
- Parks may be within or without towns, 2.
- Power to sell superfluous land, 3.

PARKS (ROYAL) REGULATION :

- For regulation of the Royal Parks and Gardens. Ch. 15.
- Short title, application, and definition of Act, Sects. 1-3.
- Penalty on violating regulations in schedule, 4.
- Park-keeper may apprehend any offender whose name or residence is not known, and penalty for assaults on park-keeper, 5, 6.
- Powers, duties, and privileges of park-keeper, 7.
- Police constables to have the same powers, &c., as park-keepers, 8.
- Rules to be laid before Parliament, 9.
- Publication of Regulations, 10.
- Saving of certain rights, 11.
- Powers of Act to be cumulative, 12.
- Saving of the rights of the Crown, and of Metropolitan Streets Act, 13, 14.
- Summary proceedings for offences, 15.
- FIRST SCHEDULE: Regulations to be observed in using Parks.
- SECOND SCHEDULE: Parks within the jurisdiction of the Act.

PARTY PROCESSIONS (IRELAND) :

- To repeal the Act 13 & 14 Vict. c. 2, intituled "An Act to restrain Party Processions in Ireland." Ch. 22.

PAWNBROKERS :

- For consolidating, with Amendments, the Acts relating to Pawnbrokers in Great Britain. Ch. 93.
- Short title, extent, and commencement of Act, Sects. 1-3.
- Repeal of the enactments in schedule as to Pawnbrokers in Great Britain, 4.
- Interpretation of terms, 5.
- Extension of Act to keepers of certain shops, 6.
- Application of Act to executors, &c., of Pawnbrokers, and to agents, servants, apprentices, &c., of Pawnbrokers, 7, 8.
- Act to extend to assigns, executors, &c., of pawners, 9.
- Application of Act in respect of loans of 40s. and under, and above 40s. and not above £10, 10.
- Exception of loans before commencement of Act, 11.
- Pawnbrokers to keep books, &c., as in schedule, and to keep names over doors, and tables of rates, &c., in shops, 12, 13.
- Provisions as to pawning, redemption, and sale of pledges, 14-23.

PAWNBROKERS—Continued.

- Power to make special contracts, subject to restrictions, 24.
- Holder of pawn-ticket entitled to redeem, 25.
- Production of pawn-ticket on redemption, 26.
- Liability of pawnbroker in case of fire, 27.
- Compensation for depreciation of pledge, 28.
- Protection of owners and of pawners not having pawn-tickets, 29.
- Delivery to owner of property unlawfully pawned, 30.
- Summary order for delivery of pledge to person entitled, 31.
- General restrictions on pawnbrokers, 32.
- Unlawful pawning and taking in pawn, 33-36.
- Inland Revenue Licenses, &c., 37-44.
- Penalties and legal proceedings, 45-55.
- Application of Act to Scotland, 56.
- Saving for Local Acts, 57.

SCHEDULES.

PENSIONS COMMUTATION:

- To extend the provisions of the Pensions Commutation Act, 1871 (34 & 35 Vict. c. 36), to Officers and Clerks of Telegraph Companies who are entitled to Annuities. Ch. 83.

POOR LAW:

- To extend and explain the Law relating to Loans for purposes connected with the Relief of the Poor. Ch. 2. page 3

PUBLIC HEALTH:

- To amend the law relating to public health. Ch. 79. page 45.

PUBLIC PARKS (IRELAND):

- To amend the Public Parks (Ireland) Act, 1869 (32 & 33 Vict. c. 28). Ch. 6.

PUBLIC SCHOOLS:

- To amend the Public Schools Act, 1868 (31 & 32 Vict. c. 118). Ch. 54.

PUBLIC WORKS LOAN COMMISSIONERS:

- To authorise advances to the Public Works Loan Commissioners for enabling them to make Loans to School Boards in pursuance of the Elementary Education Act, 1870 (33 & 34 Vict. c. 75). Ch. 71. page 44

QUEEN'S BENCH (IRELAND):

- To amend the Practice and Procedure of the Crown Side of the Court of Queen's Bench in Ireland. Ch. 28.
- Lord Chief Justice, &c., to make rules as to practice, &c., at Crown Side of Queen's Bench in Ireland, Sect. 1.

— See also Affidavits.

RAILWAY ROLLING STOCK:

- To protect Railway Rolling Stock From Distraint when on hire. Ch. 50.

REFORMATORY AND INDUSTRIAL SCHOOLS:

- To amend the Law relating to Reformatory and Industrial Schools. Ch. 21.

REVIEW OF JUSTICES DECISIONS:

- To amend the practice of the Courts of Law with respect to the Review of the Decisions of Justices. Ch. 26. page 7
- Short title, Sect. 1.
- Justice, when his decision is called in question in a Superior Court, may file affidavits showing grounds of his decision without payment of fee, 2.
- Court to take into consideration matters contained in affidavit notwithstanding non-appearance of council in support, 3.

REVISING BARRISTERS:

- To amend the law relating to the appointment of Revising Barristers. Ch. 84.
- Repealing so much of section 29 of 6 & 7 Vict. c. 18 as authorises appointment of additional revising barristers, Sect. 1.
- Qualification of revising barrister, 2.
- Repealing so much of section 4 of 26 & 27 Vict. c. 122 as to the number of revising barristers, 3.

ROYAL MILITARY CANAL:

- To amend the Royal Military Canal Act, 1867 (30 & 31 Vict. c. 140). Ch. 66.

SALARIES OF JUDGES:

- For amendment of the Law relating to the Salaries of Judges. Ch. 51.
- Short title, Sect. 1.
- Commencement and payment of judicial salaries, 2.

SALARIES OF JUDGES—Continued.

- Application of Act to existing and future judges, 3.
- Definition of "judge," 4.

STATUTE LAW REVISION:

- For further promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary. Ch. 63.
- Enactments in schedule (extending from 13 Geo. 3 to 46 Geo. 3) repealed, subject to certain exceptions and savings, Sect. 1.
- Amendment of explanatory note of schedule to 34 & 35 Vict. c. 116. (Statute Law Revision Act, 1871), 2.
- Short title, 3.
- SCHEDULE of Enactments repealed.
- For further promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary. Ch. 97.
- Enactments in schedule (extending from 47 Geo. 3 to 50 Geo. 3) repealed, subject to certain exceptions and savings, Sect. 1.
- Short title, 2.
- SCHEDULE of Enactments repealed.
- For promoting the Revision of the Statute Law by repealing certain Enactments which have ceased to be in force or have become unnecessary in Ireland. Ch. 98.
- Enactments in schedule (applicable to Ireland, and extending from 20 Hen. 3 to 7 Hen. 7) repealed, subject to certain exceptions and savings, Sect. 1.
- Act to extend to Ireland only, 2.
- Short title, 3.
- SCHEDULE of Enactments repealed.

STEAM WHISTLES:

- To regulate the use of Steam Whistles in certain Manufactories. Ch. 61. page 41

SUPERANNUATION (CIVIL SERVICE):

- To amend the Act 4 & 5 Will. 4. c. 24, "to alter, amend, and consolidate the laws for regulating the pensions, compensations, and allowances to be made to persons in respect of their having held civil offices in His Majesty's service," Ch. 12.

SUPERANNUATION (OFFICERS OF UNIONS):

- To amend the Act 28 & 29 Vict. c. 26. providing Superannuation Allowances to Officers of Unions in Ireland. Ch. 89.
- Short title, Sect. 1.
- Superintendent registrars and registrars of births, deaths, and marriages to be deemed union officers, &c., 2.

TREATY OF WASHINGTON:

- To carry into effect a Treaty between Her Majesty and the United State of America. Ch. 45.

TURNPIKE TRUSTS:

- To continue certain Turnpike Acts in Great Britain, to repeal certain other Turnpike Acts, and to make further provisions concerning Turnpike Roads. Ch. 85
- To confirm a certain Provisional Order made under the Act 14 & 15 Vict. c. 38 to facilitate arrangements for the Relief of Turnpike Trusts. Ch. 72.

UNION OFFICERS SUPERANNUATION (IRELAND):

- To amend the Act 28 & 29 Vict. c. 26. providing Superannuation Allowances to Officers of Unions in Ireland Ch. 89.
- Short title, Sect. 1.
- Superintendent registrars and registrars to be deemed union officers; Emoluments to be taken into account in awarding superannuation, 2.

VICTORIA PARK:

- To confirm an Agreement for the purchase by the Metropolitan Board of Works of certain land adjoining Victoria Park, and for appropriation of such land as part of the Park. Ch. 53.

WEST INDIES:

- To continue the appointment and jurisdiction of the Commissioners for the Sale of Incumbered Estates in the West Indies. Ch. 9.
- Office of Commissioners under 17 & 18 Vict. c. 117, continued, Sect. 1.
- Restriction as to moneys provided by Parliament, 2.
- Proviso as to lapses of powers of Commissioners, 3.

WILD BIRDS PROTECTION:

- For the protection of certain Wild Birds during the Breeding Season. Ch. 78.

